

Bosnia-Herzegovina: The Vance/Owen Peace Plan
Edited by David Owen
(Liverpool University Press, June 2013)

The supplementary catalogue of historical documents as listed in Lord Owen's book are reproduced here. Many are documents already in the public domain, others too many to include in the book, but for ease of access for researchers and readers they are produced here on one available site.

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The making of the VOPP

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1.

Key players around the conference table

Albania	Alfred Serreqi, Minister of Foreign Affairs
Austria	Alois Mock, Minister of Foreign Affairs
Belgium	Willy Claes, Deputy Prime Minister, Minister of Foreign Affairs
Bulgaria	Stoyan Ganev, Minister of Foreign Affairs
Canada	Barbara McDougall, Secretary of State for Foreign Affairs
China	Ma Yuzhen, Ambassador to the UK and Representative of the Minister of Foreign Affairs
Conference on Security and Co-operation in Europe	
	Jozef Moravcik, Chairman in Office
Denmark	Uffe Elleman-Jensen, Minister of Foreign Affairs
Commission of the European Communities	
	Jacques Delors, President
France	Roland Dumas, Minister of Foreign Affairs
Germany	Klaus Kinkel, Minister of Foreign Affairs
Greece	Michaelis Papaconstantinou, Minister of Foreign Affairs
Macedonia	Kiro Gligorov, President of Macedonia, who has expressed his anger at what he sees as betrayal by the West recognition was half-promised by Europe earlier this year, but was never given because of Greek pressure. Greece wants Macedonia to changes its name.
Croatia	Franjo Tudjman, President of Croatia, recently re-elected but accused by Serbs in Croatia of failing to grant them full minority rights.
Serbia	Slobodan Milosevic, Hardline Serbian leader, widely blamed for the extent of the war in Croatia and now in Bosnia.
Bosnia-Herzegovina	Alija Izetbegovic, President of Bosnia, a Muslim who sought compromise with Serbs and Croats in Bosnia but is now under

	heavy pressure in a besieged Sarajevo
Yugoslavia	Milan Panic, Prime Minister of the rump Yugoslavia (Serbia and Montenegro), a flamboyant Serbian-born US businessman who has said that he is ready to stand up to Milosevic, and who has made conciliatory noises towards other republics. Unclear if he has political clout, or remains a figurehead.
United Kingdom	John Major, Prime Minister
United Kingdom	Douglas Hurd, Secretary of State for Foreign and Commonwealth Affairs.
United Nations	Boutros, Boutros-Ghali, Secretary-General
United Nations	Cyrus Vance, Former US Secretary of State
Hungary	Geza Jeszensky, Minister of Foreign Affairs
Ireland	David Andrews, Minister of Foreign Affairs
Italy	Emilio Colombo, Minister of Foreign Affairs
Japan	Taize Nakamura, Ambassador to the United Kingdom
Luxembourg	Jacques Poos, Minister of Foreign Affairs
Netherlands	Has Van den Broek, Minister of Foreign Affairs
Organisation of Islamic Conference	Hamid Al-Ghabid, Secretary-General
Portugal	Joao de Deus Pinheiro, Minister of Foreign Affairs
Romania	Adrian Nastase, Minister of Foreign Affairs
Russia	Andrei Kozyrev, Minister of Foreign Affairs
Slovenia	Milan Kucan, President
Spain	Javier Solana Madariaga, Minister of Foreign Affairs
Turkey	Kikmet Cetin, Minister of Foreign Affairs

[As published in the *Independent*, 26 August 1992]

2.

Extracts from the Official Papers

The International Conference of the Former Yugoslavia (ICFY)

Volume I

Edited by B.G. Ramcharan

Kluwer Law International

Hague/London/Boston. ISBN 900411-0429-1 (Vol 1) 1997

International Conference on the Former Yugoslavia: London Session (August 1992)

Statement of Principles

The London Conference has endorsed the following principles as the basis for a negotiated settlement of the problems of former Yugoslavia:

- (i) the imperative need that all parties and others concerned should cease fighting and use of force, should respect agreed ceasefires and restrain those who commit or seek to provoke breaches of them;
- (ii) non-recognition of all advantages gained by force or fair accomplishment of any legal consequence thereof;
- (iii) the need for all parties concerned to engage actively, directly or through intermediaries, in negotiations on the basis of these principles;
- (iv) respect for the highest standards of individual rights and fundamental freedoms in a democratic society, as embodied in the International Covenants of the United Nations on Human Rights, the European Convention of Human Rights and its protocols and other instruments of the United Nations, the Conference on Security and Cooperation in Europe and the Council of Europe;
- (v) implementation of constitutional guarantees of the human rights and fundamental freedoms of persons belonging to ethnic and national communities and minorities, the promotion of tolerance and the right to self-determination in accordance with the commitments entered into under the

CSCE and the EC Conference on Yugoslavia;

- (vi) total condemnation of forcible expulsions, illegal detentions and attempts to change the ethnic composition of populations, and effective promotion of the closure of detention camps, and of the safe return to their homes of all persons displaced by the hostilities who wish this;
- (vii) compliance by all persons with their obligations under international humanitarian law and particular the Geneva Conventions of 12 August 1949, and the personal responsibility of those who commit or order grave breaches of the Conventions;
- (viii) the fundamental obligation to respect the independence, sovereignty and territorial integrity of all states in the region; and to respect the inviolability of all frontiers in accordance with the UN Charter, the CSCE Final Act and the Charter of Paris. Rejection of all efforts to acquire territory and change borders by force;]
- (ix) the requirement that a final settlement of all question of succession to the former Socialist Federal Republic of Yugoslavia must be reached by consensus or by arbitration and the commitment of all parties to recognize each other mutually, to respect each others' status and rights under any such settlement and to share the duties and responsibilities of successor states;
- (x) the obligations on all states and parties concerned to comply in full with all UN Security Council Resolutions on the crisis in the former Socialist Republic of Yugoslavia and to do their utmost to secure their implementation;
- (xi) the vital need for humanitarian aid to be provided and, under appropriate protection and with the full cooperation of the local authorities, to reach the populations in need, with special consideration for the needs of children;
- (xii) the obligation on all parties to cooperate wholeheartedly in the international monitoring, peace-keeping and arms control operations in the territory of the former Socialist Federal Republic of Yugoslavia and to contribute constructively to the suppression of violence throughout the area;
- (xiii) the need to provide international guarantees to ensure the full implementation of all agreements reached within the framework of the International Conference.

Statement on Bosnia^{*}

The participants in the London Conference on the former Socialist Republic of Yugoslavia condemn the continuing violence in Bosnia and Herzegovina and the attempts to gain territory by the use of force. They reject as inhuman and illegal the expulsion of civilian communities from their homes in order to alter the ethnic character of any area. They welcome the adoption by the United Nations Security Council of Resolution 771 and other Secretary Council Resolutions, and the Resolution of the UN Commission on Human Rights on the situation of human rights in the territory of the former Yugoslavia. They undertake to collate substantiated information on violations of international humanitarian law and to make this information available to the United Nations. They reaffirm that persons who commit or order the commission of grave breaches of the Geneva Conventions are individually responsible in respect of such breaches.

A political settlement in Bosnia and Herzegovina must include the following provisions:

- (a) a full and permanent cessation of hostilities and an end of all violence and repression, including the expulsion of populations;
- (b) recognition of Bosnia and Herzegovina by all the former Yugoslav Republics;
- (c) respect for the integrity of present frontiers, unless changed by mutual agreement;
- (d) implementation of guarantees for the rights of persons belonging to all national communities and minorities in accordance with the UN Charter and CSCE provisions;
- (e) just and adequate arrangements for people who have been forcibly expelled from their homes including the right to return and compensation for their losses;
- (f) democratic and legal structures which properly protect the rights of all in Bosnia and Herzegovina, including national communities and minorities;
- (g) assurances of non-intervention by outside military forces whether formed units or irregulars, except as provided for in relevant UN Security Council Resolutions.

^{*} The London Conference, LC/C5 (Final), 27 August 1992.

- (h) respect for all International Treaties and Agreements;
- (i) restoration of trade and other links with neighbouring countries.

Further urgent steps are now required to achieve a settlement. The participants in the London Conference urge all parties immediately and without preconditions to resume negotiations on future constitutional arrangements within the framework of the Conference. All parties involved must participate in these negotiations with a genuine will to secure peace and a respect for the interest of the other parties.

The negotiations will also need to cover the following arrangements:

- (a) a genuine and lasting end to the conflict throughout the Republic, and return of territory taken by force;
- (b) the cessation of all outside interference, in terms of personnel or material support, in the present conflict;
- (c) the grouping of heavy weaponry under international control;
- (d) the demilitarisation of major towns and the monitoring of them by international observers;
- (e) the establishment of refugee and relief centres for those citizens of Bosnia and Herzegovina who have lost or been expelled from their homes, pending their return;
- (f) the extension of humanitarian relief to all areas of Bosnia-Herzegovina where supplies are needed, with the cooperation of local parties;
- (g) an international peace-keeping force under UN auspices may be created by the Security Council to maintain the ceasefire, control military movements, and undertake other confidence-building measures.

As and when parties are ready to reach a settlement on the above basis, the International Community will join with them in a major reconstruction programme to cope with humanitarian needs and to restore economic activity.

The London Conference

At a meeting with FCO Minister of State Douglas Hogg, Drs Karadzic and Koljevic

representing the Bosnian Serbs signified their agreement to the following:

- (i) That the Bosnian Serb side would notify to the UN within 96 hours the positions of all heavy weaponry to be grouped around the 4 towns of Sarajevo, Bihac, Gorazde and Jajce, this grouping to be completed within a period of 7 days. The weaponry once grouped would be put under the continuous supervision of permanent UN observers. The Bosnian Serb side would expect the Bosnian Government to take reciprocal action, but would not impose this as a precondition for their own action, which would be unilateral. The Bosnian Serb side further undertook with immediate effect not to initiate fire from any of this heavy weaponry.
- (ii) That the Bosnian Serb side recognised that in negotiations between the three Bosnian parties, they would agree to withdraw from a substantial portion of the territory now under the control of their forces.

Conclusions on Implementation of Existing Sanctions^{*}

1. The London Conference welcomes the steps taken by the international community to implement United Nations Security Council Restrictions 713 and 757 imposing mandatory sanctions against Serbia and Montenegro, but regrets that there remain gaps in implementation. The following proposals deal with the gaps identified so far.

Compliance with UNSCR 757: Need for Enforcement

2. The Conference notes that many countries are cooperating with the UN Sanctions Committee but is concerned that compliance remains incomplete. The Conference calls on all governments forthwith to comply fully with the requirements of UNSCR 757. All governments should respond to the appeal issued by the UN Sanctions Committee for information regarding violations of the sanctions regime.

3. The Conference recommends that the Security Council should consider any request made to it under Article 50 of the UN Charter by any state which considers that it is confronted by special economic problems arising from carrying out the requirements of UNSCR 757.

Enforcement of Sanctions by Neighbouring States

4. Neighbouring states are encountering practical problems in the enforcement of sanctions. The Conference notes with approval the fact that the Romanian government invited experts to give advice on ways of overcoming difficulties in the application of sanctions and that officials from a number of Conference countries will shortly go to Romania to help the Romanian authorities with enforcement. Further missions are currently visiting Hungary and Bulgaria with the same purpose. The Conference looks forward to similar missions taking place to all other neighbouring countries, and welcomes the offer of assistance by the Conference on Security and Cooperation in

^{*} The London Conference, LC/C8, 27 August 1992.

Europe to these countries. It also welcomes the intention to establish monitoring missions from representatives of individual Conference countries to assist in the implementation of sanctions in neighbouring countries. The Conference invites the European Community and the Conference on Security and Cooperation in Europe to coordinate these activities.

The Danube

5. The Conference notes that Article 103 of the UN Charter obliges the riparian states of the Danube to do whatever is necessary, including the stopping and searching of vessels, to prevent the use of the River Danube for the purposes of circumventing or breaking the sanctions imposed in UNSCR Resolutions 713 and 757, notwithstanding the provisions of the Belgrade Convention.

6. The Conference calls upon the riparian countries to prevent sanctions being broken or circumvented by trade along the Danube. Individual Conference countries will provide expertise, technical assistance and equipment to the governments concerned to help with enforcement.

Unauthorised Transfers of Serbian and Montenegrin Assets

7. The Conference is concerned that financial transfers for the benefit of Serbia and Montenegro in breach of UNSCR 757 are taking place. The Conference countries reaffirm their commitment to prevent such transfers and call on other states to do the same. The Conference invites the UN Sanctions Committee to consider whether its guidelines need to be tightened for this purpose.

Transit Traffic

8. Illegal diversion of goods in transit across Serbia and Montenegro is taking place. The Conference calls on the authorities of bordering countries to do all they can to prevent this diversion and to report violations to the UN Sanctions Committee. The Conference also invites the UN Security Council to ask the Sanctions Committee to define more precisely its guidelines on the subject of transit traffic.

Strengthening the Legal Framework

9. The Conference invites the Security Council to take such further measures as may be necessary to ensure the full implementation of UNSCRs 713 and 757. Existing sanctions are possibly being breached by maritime traffic in the Adriatic Sea. The Security Council is therefore invited to consider further measures to ensure rigorous implementation of sanctions in the Adriatic.

Follow Up to the Conference

10. The Conference agrees that member states of the European Community and of the Conference on Security and Cooperation in Europe will keep the UN Sanctions Committee informed on a regular basis about the action they have committed themselves to take to enforce sanctions rigorously, including any problems that may be encountered. In addition, as part of the follow up to the Conference, the Representatives of the Co-Chairmen of the Steering Committee will take action necessary to remedy defects in enforcement and generally to ensure rigorous application of sanctions in accordance with SCR 757.

3.

Lord Carrington's Statement to the London Conference on Yugoslavia Wednesday 26th August 1992

I would like to begin by very briefly recalling the genesis of the EC Conference and the subsequent developments, as I believe that a knowledge of these events is essential for an understanding of, and a solution to, this Balkan tragedy.

After the death of Tito and Communism, a vacuum has rapidly been filled in the six republics by long suppressed nationalism, fuelled by traditional ethnic animosities and memories, sometimes selective, of events forty-five or fifty years ago, or indeed longer.

The Croatian and Slovenian declarations of independence brought matters to a head. Serbs in the Krajina reacted – in part because the then Croatian constitution contained inadequate provisions to safeguard their position and also because it rekindled memories of wartime atrocities. The JNA, by this time a predominantly Serb force, grossly over-reacted. The pattern was set – provocation, or perceived provocation, followed by massive Serbian retaliation, often senseless, as we saw later at Vukovar, Dubrovnik and elsewhere.

The CSCE gave the European Community a special responsibility for managing and solving the crisis and, early last September, almost exactly a year ago, reached agreement with the Yugoslav parties on the convening of a Peace Conference.

When the EC appointed me as Chairman of the Conference, my mandate was based on three conditions: first, that there should be a genuine ceasefire; second, that none of the six republics would be recognised as independent and sovereign states except as part of an overall settlement, agreeable to all six republics; third, that there should be no change of boundaries except by peaceful means and by agreement.

Of these three, only one remains – namely, the principle governing a change of borders. We started the Conference, and quite rightly, in the absence of a ceasefire, partly because there was an expectation that the establishment of the Conference would, of itself, help create the necessary conditions for stopping the hostilities in Croatia. These hopes were soon dashed. The numerous ceasefires which punctuated the succeeding months tragically fulfilled the assertion that I made in the first of many agreements I brokered, in Igalo on 17th September, that this was “the last chance for de-escalation and cessation of actual warfare”.

There is no doubt that the lack of an effective ceasefire greatly complicated the Conference’s task.

The decision taken by the European Community last December to invite the Yugoslav republics to apply for recognition of their independence, even though an overall settlement satisfactory to all of them had not been achieved, changed the whole nature of the Conference.

From the outset, the prospect of recognition had been the one real instrument to keep the parties engaged in the negotiating process; though it is equally fair to say that, by the end of last year, the Conference had not produced agreement. Five of the six republics had accepted the Draft Convention for an overall settlement prepared within the Conference: the Serbian government were not prepared to do this. This draft envisaged the establishment of sovereign and independent republics, comprehensive arrangements for the protection of human rights, and allowed such financial and economic cooperation as each state wished.

It also allowed for those republics who so wished to form a common state. But this formula did not go far enough for Serbia which asserted that any common state thus formed would be a continuation of Yugoslavia – a claim hotly contested by four of the other five republics. Eight months on, this problem remains and, indeed, has become even more complex.

As a result of that December decision, the original concept of the Peace Conference had unravelled and we had no real leverage (that is to say, the prospect of recognition) which we could bring to bear. Some of the republics at least had got what they wanted. The only true shared interest which remained was to see a quick and equitable division of the assets, and to a much lesser extent the liabilities, of the former Yugoslavia.

This has meant that most of the work we have been trying to do since the beginning of this year has had to be on a bilateral or trilateral basis, since plenary sessions are inappropriate when much of the agenda concerns only one or two of the countries involved.

We are left, therefore, with a number of specific problems. First and foremost is Bosnia-Herzegovina. But there is also Krajina and East/West Slavonia; Kosovo, Vojvodina and Sandzak; Macedonia; and the question of the successor state and the new “Republic of Yugoslavia”, which I mentioned briefly just now.

Bosnia-Herzegovina

From the outset of the Conference it was obvious that Bosnia was a tinderbox. When EC Foreign Ministers asked the Bosnian government whether or not it wished for independence, it was clear that the answer was going to be “yes”. How could President Izetbegovic say otherwise? But, in the Bosnian Serb view, a Declaration of Independence without their agreement was contrary to the existing Constitution and they were resolutely opposed to a unitary state with a Muslim majority. Foreseeing the problems that were likely to arise from the planned independence referendum, I visited Sarajevo in early February. There I reached agreement with the leaders of the three main political parties, representing Serb, Muslim and Croat interests respectively, and including President Izetbegovic and Dr Karadzic, to begin talks on new constitutional arrangements – which would adequately safeguard the rights and acknowledged the fears of the three communities. I asked Ambassador Cutileiro to take on this task – which he has done with great skill and persistence. Eventually, on

March 18th all three parties agreed a set of principles – a formula in which there would be a great deal of autonomy given to the three nationalities within some form of federal arrangement.

Much of what has been written about this plan, since rejected by the Muslim SDA party, has been inaccurate, and it is, I think, necessary to set the record straight.

Firstly, the 18th March agreement and the Statement of Principles, like most political settlements, was a compromise. Although the Bosnian Croats had voted with the Muslims in the Bosnian Parliament for independence, once the Cutileiro talks began, they aligned themselves with the Serbs. Both parties insisted on a confederal structure. The Muslims' preference was for a unitary state. There was thus a major gap to be bridged, and any agreement reached was therefore likely to be fragile.

Secondly, there was a clear understanding that the three “constituent units” envisaged under the agreement would not be geographical entities, in the sense of consisting of only one nationality, nor would the three units be distinct self-contained blocks. The mosaic of Serb, Muslim and Croat communities dictated this.

It was largely on the basis of the 18th March Statement of Principles and its agreement that the EC and a number of other states recognised the independence of Bosnia-Herzegovina on 7th April. The Bosnian Serbs started the fighting, which quickly escalated and has made Bosnia today the greatest human tragedy in Europe since the end of the Second World War. The Bosnian Serbs complained at the time, and still do, that the recognition of Bosnia was premature and that the 18th March Principles were an insufficient basis on which to take this decision. They argue that recognition should have been withheld until the end of the negotiating process. In my view, the 18th March Statement of Principles provided a wholly adequate platform for recognition. Moreover, to have withheld recognition would have run the risk of giving the Bosnian Serbs an effective veto over the decision; nor has it ever been the position in Ambassador Cutileiro's talks that the 18th March agreement was the only basis on which a solution could be found. We have always been willing to look at any proposals likely to be agreed by the three parties.

Nevertheless, the fact is that recognition was immediately followed by fighting. Against this background it has, not surprisingly, been very difficult to make any progress on the constitutional talks, though we have just about managed to keep the negotiating process itself alive. President Izetbegovic has said that he is no longer prepared to negotiate on the basis of the 18th March Statement of Principles. The leaders of the Bosnian Serb and Croat parties, Dr Karadzic and Mr Boban, say they are. The only point on which all three parties currently agree is that no political settlement can be attained in Bosnia unless it commands their support. Until this is accomplished, peace will not return to Bosnia. Bosnia's very existence hangs in the balance. If the international community acquiesces in a policy of *fait accompli*, for example by recognising either the Bosnian Serb or Croat entities, then Bosnia-Herzegovina cannot conceivably survive. The Muslims have the most to lose by the partition of Bosnia and, in my view, the most to gain by participating fully in the political negotiations. Until now, there has been insistence that there has to be a ceasefire before negotiations can begin; and that no ceasefire will be possible until Muslim territory is returned. (That is the Muslim position.) Dr Karadzic has been equally firm that the Bosnian Serb forces will not withdraw until an overall settlement has been reached.

President Izetbegovic has, I believe, got some new proposals to present. I very much hope he will do so. But, in my judgement, all three parties must show a greater willingness to compromise on the shape of a political settlement, otherwise it is very difficult to see where we go from here. If the three parties – and all of them are breaking the ceasefire – don't wish for peace, except on their own terms, then no amount of diplomacy can or will bring it about.

Krajina and East/West Slavonia

An understanding of the problems of the Krajina and the areas of East and West Slavonia is the key to understanding the Serb-Croat conflict. The Krajina, based on the towns of Knin and Glina, is historically a Serb majority area. This is not in dispute. The situation in East and West Slavonia is different, although the Serbian

authorities have consistently argued the contrary. Many Croats fled this area when it was occupied by the JNA, so that today there is a Serb majority – but historically this has not been the case, and indeed the 1991 census shows a large Croat majority.

Under my original proposals, the Serb majority area in Croatia, the Krajina, was to have “Special Status” – including its own legislative body and judiciary,, internationally monitored human rights guarantees and so on.

The Croatians have accepted the principle of Special Status and have amended their constitutional law to reflect its provisions. However, the leaders of the Krajina Serbs (and, it has to be said, many in Serbia itself) continue to reject any solution short of independence for the Krajina. As recently as last week, Mr Hadzic said that he was not ready to begin a dialogue with the Croatian authorities, nor would he accept Special Status.

According to the principles on which the Conference was established, independence for the Krajina is not an option: self-determination is at the level of republics, not of peoples. The only valid settlement, therefore, is one which respects the territorial integrity of Croatia.

The peacekeeping plan, negotiated by Secretary Vance and his UN colleagues, envisaged the deployment of UN forces in the Krajina and also in East and West Slavonia – thus constituting the four UN Protected Areas. The plan makes it clear that the special arrangements in these areas will be of “an interim nature and will not pre-judge the outcome of the political negotiations (i.e. the Conference) for a comprehensive settlement of the Yugoslav crisis”. Nevertheless, it is indisputable that, under the protection of the-blue helmets, the Krajina Serbs believe themselves to be better off now than they would be under the authority of the Croatian government, as in the Conference plan.

Meanwhile, the Croatian government is obviously impatient to regain control of this territory. These pressures will doubtless increase and will lead to an increase in tension – and possibly even to a resumption of the conflict. It is therefore of the

utmost importance for the international community to bring all its influence to bear on the Krajina Serbs to negotiate, and on the Croatian authorities to exercise restraint. It is also essential for the Belgrade authorities to persuade the Krajina Serbs to negotiate.

Kosovo, Vojvodina, Sandzak

The next potential flashpoint concerns the minorities in Serbia – by far and away the most important of which is Kosovo, where nearly 2 million Albanians live and 200,000 Serbs, or thereabouts. The Albanians living in Kosovo have had an election of their own and declared their independence from Serbia. But this, as in the Krajina, is not a solution, since existing borders must be maintained, and it is certainly not one which the Serbs would ever accept, since Kosovo is perceived as the birthplace of Serbian nationhood.

The Kosovans have recently shown willingness to negotiate without pre-judging the outcome but have, given the general antipathy between Kosovan and Serb, asked the Conference to mediate. Regrettably, the Serbs have so far refused to accept EC Conference participation. I believe it is essential for the Peace Conference to be involved in seeking a settlement between the Kosovans and the Serbian government. The dangers there are infinitely great and it is overwhelmingly in the interest of both sides to come to the negotiating table and hammer out a solution on the basis of real autonomy.

The situations in Vojvodina and Sandzak are also cause for concern and must not be overlooked.

Macedonia

The next problem is the former Yugoslav Republic of Macedonia. Recognition is a matter for governments, not the Peace Conference. Suffice it to say that it was the

Community which invited Macedonia to apply for recognition and that the Arbitration Commission, presided over by Monsieur Badinter, made clear that Macedonia had satisfied the EC criteria. Moreover, they went on to say that the use of the name Macedonia did not imply territorial claims on another state. The Greek position is well known. I very much hope that it will be possible for the Greeks and President Gligorov to come to a compromise on this which will satisfy both sides. This is causing President Gligorov the greatest possible difficulty.

On the positive side, I do believe that there is a real possibility of reaching an agreement between the Macedonian government and the Albanian minority. We are working very hard to achieve this. If it materialises, as I think it will, I hope it will have a positive impact on the Kosovo negotiations. It does reflect the consistently positive attitude of President Gligorov and his government.

You will see from what I have said that there are enormous difficulties and problems ahead. You will also see that all these problems, apart from Macedonia, have a Serbian involvement in them. I cannot pretend that I see a quick solution to these problems but, above all, we must prevent an outbreak of violence in Kosovo which would, in international terms, have the most serious consequences.

Sooner or later all these problems I have described will be solved. The longer it takes, the more misery and human suffering there will be, as events in Bosnia have made tragically clear. That revolting act and expression "ethnic cleansing" will continue. Innocent people will lose their homes and their lives.

Responsibility rests upon those who are engaged in the fighting and the leaders who are encouraging them. I pray that this Conference will cause them to understand the need for urgent action on their part to stop the killings and the deportations, and instead to promote and protect their interests at the negotiating table.

4.

FM BELGRADE
TO FCO

30 MARCH 1992

FOR APPLEYARD
BRUSSELS FOR PS/LORD CARRINGTON

BOSNIA AND HERCEGOVINA (BIH); EARLY RECOGNITION

1. You asked for my assessment in advance of tomorrow's meetings in Brussels of the consequences of early recognition of Bosnia. My view remains much as expressed to Ganic on 27 February (my telno 110), namely that there is no risk-free option in BIH, but that recognition should be given as soon as, but not until, the Bosnian parties have reached agreement on the basic future structures. Ganic's view at that time was that recognition straight away would put a wall round BIH's borders: but the counter-argument, to which I think the events of last week give some credence, is that recognition, in advance of basic agreement within BIH, could drive the Serbs from the conference table and into the carve-up Ganic feared. ie, far from putting a wall round BIH's borders, early recognition could precipitate their collapse without the EC having either the power or the leverage to prevent it.

2. It may be that even as I write this the Bosnian parties are in the process of reaching agreement in Brussels on the basic future structures of BIH. In that case, so long as all accept that the *quid pro quo* of a deal on structures is that Bosnia should be internationally recognised, the concerns I have voiced and much of the rest of this telegram become otiose.

3. On the assumption, however, that we have not yet reached this stage, the following seem to me to be the main considerations. In the first place it is plain that the EC, having encouraged the Bosnian authorities to hold a referendum as recommended by Badinter, cannot but take account of the democratically expressed wish of almost two-thirds of its citizens for independence. At the same time, so long as there is no basic agreement amongst the constituent nations on the future structure of a new independent BIH, there is a strong risk that recognition will accelerate partition and

violence, and therefore every reason for trying to push actual recognition, or at least the establishment of diplomatic relations, further down the road so that the joint efforts of the two conferences can at least be given a chance. Even Ganic saw this; and neither the Serbs in Sarajevo nor the regime in Belgrade have formally vetoed independence so long as it is accompanied by a mutually acceptable arrangement on structures. Izetbegovic, however reluctantly, has also accepted this combination I believe because he knows that in the absence of such an agreement there can be no real prospect of an effective central government of any sort in Bosnia: the Serbs occupy nearly two-thirds of his territory, and the Croats have already *de facto* taken over the running of their own areas.

4. The fact is that in practical terms, the Bosnia we would be recognising now would be far less viable than Croatia in terms of actual territorial control. It would have the additional complication, in comparison to Croatia, of a major presence of the armed forces of the former Federation. However battle-weary we currently assess the JNA in Bosnia to be, in the event of partition followed by inter-ethnic violence the army would have little option but to intervene, initially as a neutral force but ultimately on the side of the Serbs in a far more widespread version of the Croatian scenario. The implications of such a scenario with a UN peacekeeping force already elsewhere on the territory of the former Yugoslavia are evident, difficult to predict precisely, but certainly disturbing.

5. I do not seek to excuse Milosevic or the Serb leaders in Bosnia, but equally I think that it would be a mistake to assume that Izetbegovic – and more particularly some of the fundamentalist inclined Muslims advising him – are behaving as responsibly or as sensitively in their push for EC-backed independence as many assume. It is also a mistake to look at the situation in Bosnia exclusively in terms of Milosevic and the Serbs in Belgrade, and to assume it can be controlled by putting pressure on Belgrade. As Jovic has pointed out to Sir D Hannay in New York, the Bosnian Serbs have their own specific characteristics: the fact that they may be encouraged and influenced from Belgrade does not mean that they can be controlled or restrained from there. At the level of individuals in villages taking pot-shots at their neighbours, the Serbs of Bosnia have their own very deep-seated anti-Muslim agenda, stemming most recently

from the role of Muslims in the World War II death camps in Bosnia and the forced exodus of Serbs. These feelings still run very deep and go a long way towards explaining the anti-Muslim fears of a Bosnian Serb like Seselj: they probably also form the political attitudes of other Bosnian Serbs as different as Adjić and Drasković.

6. A further factor is the effect of an early Community decision on recognition on the EC's role as an arbitrator in the Yugoslav crisis. I am well aware that it was our view at the time that recognition of Croatia and Slovenia could fatally undermine the EC's standing as a neutral arbitrator. Events in Brussels over the weekend and today may make the situation clearer, but I am not sure that this assessment has yet been proved wrong. The fate of the conference on Yugoslavia has been in the balance since last December. The fact that it is resuming is largely due to the independent status of Lord Carrington himself and Milosević's ability to convince himself and public opinion in Serbia that Carrington is not under the thumb of certain powerful members of the EC and is instead an integral part of the UN process. If the EC, having, as the Serbs see it, already once ditched their own principles on recognition by going ahead with Slovenia and Croatia in advance of a final settlement, now recognise Bosnia in advance of the conclusion of a conference on Bosnia set up under the EC's own auspices, I doubt if even Milosević's devious mind could justify continuing to cooperate with the Carrington process. The risk is that the Serbs would drop out of the process and the EC would be left as bystanders. Meanwhile the UN peacekeepers would be some way up the Yugoslav creek without even their EC paddle. Derecognition, probably the international community's biggest card against Serbia, would not be an easy one to play with the UN force still so dependent on the cooperation of the Yugoslav rump.

7. I have discussed with my US colleague. He showed me a message from Secretary Baker to European colleagues, urging agreement, on 10 March, to proceed in unison: USA to recognise BIH, Macedonia, Croatia and Slovenia as soon as possible, EC to recognise BIH and Macedonia. Zimmermann said that, at the end of last week, he had delivered an extremely tough message to Milosević warning him that Washington did not accept that the Bosnian Serbs were independent of his control, and would hold Serbia responsible for any mayhem on the part of local Serbs. Zimmermann had

added that US recognition of BIH was likely very soon. Milosevic indicated that this was to be expected: but that it would be better to defer recognition until Cutileiro's conference had produced agreement on BIH's future.

8. Zimmermann's conclusion was that this was a close call: but, on balance, he favoured recognition of BIH sooner rather than later. His conversation with Milosevic showed that the latter was, in some measure, resigned to recognition and might therefore not react in too destabilising a manner. Moreover Milosevic was currently vulnerable, in that his present determination to present himself as the peace-loving statesman would inhibit him from making too much trouble.

9. It is indeed a close call. But I am not totally convinced that Milosevic would remain the man of peace if the price of that claimed status was to desert the Bosnian Serbs. However, the point Zimmermann made about the UN proceeding in unison with the EC to recognise Macedonia as well as Bosnia seems to me an important one: if the American position is to recognise all four Republics and the Community is not yet ready on Macedonia, this surely argues at this stage for none of us going beyond a statement welcoming the results of the Bosnian referendum, even indicating readiness in principle to consider recognition, but giving the conference on Bosnia a bit more time to make progress.

HALL

5.

SOCIJALISTICKA PARTIJA

BOSNE I HERCEGOVINE

25 March 1992

AN APPEAL TO THE EUROPEAN COMMUNITY MINISTERIAL COUNCIL

The Socialist Party of Bosnia and Herzegovina, consisted of all the constitutional nations (Moslems, Serbs, Croats and Yugoslavs), under the leadership of Mrs Rabiha Subic, a Moslem, appeals to Europe, to all twelve EC Ministers, to desist from provoking a civil war in Bosnia and Herzegovina by recognising independence and sovereignty of Bosnia and Herzegovina on the very day of 6th April 1992.

The Socialist Party of Bosnia and Herzegovina insists on Europe's non-recognising Bosnia and Herzegovina independence before the end of political negotiations on constitutional arrangement of Bosnia and Herzegovina with agreement of all the three national communities, and especially not before realising the peoples' referendum.

We must explain Europe that the date of 6th April 1941 was the very day of the Third Reich's attack on Yugoslavia; moreover, it was the beginning of a bloody civil war in Bosnia and Herzegovina, which lasted for four years, plus two years of fighting between para-military units (created during the war) and liberating forces, with an enormous number of victims.

We must also appeal to EC reason, conscience and responsibility, warning you how fatal could be too early and one-sided recognition of Bosnia and Herzegovina independence; it would inevitably initiate an avalanche of a terrible civil war which could not be controlled, not to speak about stopping it.

We must also inform you there is fighting in many places in Bosnia and Herzegovina: Bosanski Broad, Travnik, Neum, Capljina, Mostar, Gorazde, etc: there are also hundreds of barricades all over the Republic and more than 300 thousand armed

people. The ones who survive the Bosnia and Herzegovina Sodom and Gomorrah will be able to govern the graveyards only.

Dear sirs, we cannot explain all the fear and helplessness of the people, but we are sure the recognition of the independence of Bosnia and Herzegovina on the day of 6th April is a wrong move. Europe can do it only after all the conditions are fulfilled.

So we request European Community together with its twelve Ministers to accept our justified demand. Your human and fair gesture would save hundreds of thousands innocent children in Bosnia and Herzegovina from war horrors and extermination, protecting at the same time all internationally-juridical norms.

Yours sincerely

Socialist Party President
Rabija Subic

Cc

Mr Lord Carrington

**Extract from *Balkan Odyssey*, pp.70–71
and letter from Lord Owen to Hans Dietrich Genscher**

“Vance and I visited the four UNPAs in Croatia between 19 and 20 November. It was becoming clear that the Vance Plan was not being implemented and we needed to find out if anything could be done to recover lost momentum. We visited the Maslenica Bridge, which had been destroyed in the war and had to be reopened to allow Croat traffic and tourist cars and buses to flow down the main road on the Dalmatian coast. We also stood on top of the Peruca Dam, rather gingerly since it was thought to have large quantities of dynamite placed in its power plant which, if triggered by the Serbs, would blow up the dam and flood the area. Both of these issues had been endlessly discussed in Belgrade, Zagreb and Geneva and it was useful to see the problems on the ground.

In Knin we had a dreadful meeting with the Croatian Serbs, who refused to countenance anything but secession and pretended they were an independent government with their own Foreign Minister. I was adamant that we would make it clear that we considered we were in Croatia, a fact the UN tended to walk around with semantic blurring. My definition provoked a rant about how this was an independent Serb republic. I was called by one Serb leader on their local radio a rogue and a Serb-hater, whereas Vance was described as ‘tolerant’. Driving into the Northern UNPA that same evening it was noticeable that very few houses had any electric light, and the battle-scarred villages we drove through appeared deserted.

The Croatian government was understandably determined from the start to avoid a repeat of what had happened in Cyprus, with the UN presence entrenching the de facto partition of the island, and so they never abided by the ceasefire. That fundamental and unavoidable tension kept an incipient Serb-Croat war simmering in the background, always dangerous and providing the fuel for an increasing disillusionment of the Croatian people and government with the UN, seen as

responsible for the status quo. As memories of how awful the war had been faded, so more Croats began to be readier to risk another war, particularly as the Croatian forces were becoming ever better equipped. By late 1992 the arms embargo was barely touching Croatia, and though the FRY sent details of arms coming in to the Security Council nothing was done to halt the supplies. Soon the Croatian army was being equipped with planes, tanks and heavy artillery, most of it coming in from surrounding European countries having been bought in what was East Germany. As this was happening in full view of the Serbs it was not hard to see why they resisted demilitarization and refused to demobilize. The Croatian Serbs were the consolidators and the Croatian government the destabilizers. The Croatian government needed to convince the Croatian Serbs that they had nothing to fear in living under their rule if there was to be peace, but they believed this would only encourage the Serb leaders to remain independent. It was a Catch-22 situation. Tudjman's style was diplomacy by histrionics, but nevertheless, from the Croat point of view, it was effective. The Croatian government-controlled press constantly identified UN peacekeepers as failing to allow Croats to return to their homes, and at times came close to depicting them as the enemies of the state, an attitude reflected in the vulgar signs flashed at passing white UN vehicles on the roads.

By the time we helicoptered into the Eastern UNPA I was beginning to despair as to how we could settle these conflicting aims. This mood was further deepened when I discovered that, far from Croats returning to their homes, Serbs in increasing numbers were arriving from other parts of former Yugoslavia, particularly Bosnia-Herzegovina, and were being relocated in Sector East. This was ethnic accretion, understandably seen by the Croats as an attempt to change the demographics of the area by creating a permanent Serbian majority where before the 1991 war there had been a Croatian majority. The large influx of Serb refugees was also leading to Serb-on-Serb violence with gang activity, extortion and protection rackets. All this was happening under the nose of the UN civilian police, who saw their role passively, as was explained to us 'to observe and report on the activities of local police and authorities and to cultivate good relationships with all residents'. Given the circumstances in Croatia at that time, and particularly after the war in Bosnia-Herzegovina started, which changed the priority that the UN could give to the Vance

Plan, it was impossible to see how the UN could become anything other than the butt of everyone in Croatia, unloved and unappreciated. Unable to bring refugees back until the Serb militia were disarmed, the UN lacked the resolve, and arguably also the power, to disarm the Serbs forcibly. Deadlock continued over the next two and a half years, until in January 1995 President Tudjman deliberately tried to bring all his people's dissatisfactions to a head by unilaterally declaring that the UN mandate would end on 31 March 1995. Our visit was a sad occasion for Cy Vance, but he took the criticism of his plan from the UN people we met in the Eastern UNPA on the chin with no attempt to cover up its deficiencies, which were laid before us with painful clarity at our briefings. The alternative, however, was war."

Another problem that would not go away was the resentment in the UN and elsewhere about the German pressure to have early recognition in 1991 of Croatia, well before the problems of Bosnia-Herzegovina had been sorted out. This produced a deep feeling that early recognition brought on the war in Bosnia-Herzegovina making their recognition inevitable in the spring of 1992. I had some sympathy with these views, but I was determined from September 1992 to put the past behind us in the ICFY. As the negotiator on behalf of the EC, I had a special responsibility to avoid finger pointing and looking back. I was, therefore, scrupulous in avoiding any criticism of Klaus Kinkel or Hans Dietrich Genscher, the German Liberal Foreign Minister most closely associated with early recognition.

In February 1993, allegations were made on German television and I quickly wrote to Hans Dietrich, who I had worked with in the 1970s, as had Cy Vance, to make my position clear.

25 February 1993

Dear Hans Dietrich

I have been telephoned by a German journalist here in New York to verify apparently what a German Professor has said on German television that during a meeting I had had recently with German industrialists I had derogatorily blamed you personally for the conflict in former Yugoslavia. Firstly, I have had no such meeting with any German industrialists nor would I dream of using such words that have been ascribed to me about your involvement over the recognition of Croatia and Bosnia-Herzegovina.

Ever since I was appointed in September I have been at pains to try and avoid commenting on what happened prior to the London Conference as it seemed to me to only detract from our task. The most I have ever said is that I agree with Lord Carrington's position and that of Cy Vance.

Mate Boban has been full of praise for the support that you gave our proposals and we are both very grateful to you. I had hoped to talk to you about all of this on one of my visits to Germany but they have been so fleeting, though Klaus Kinkel made it clear that he would welcome us both having a chat with you. Needless to say if you are near New York we would very much like to see you. As to what is going to happen to the Peace Conference over the next few days I really do not know. Regrettably, while the new American Administration considered their policy, we have lost a certain amount of momentum which has been pretty frustrating.

It is helpful that we now have them on board in terms of being prepared to contribute to a peacekeeping operation for the implementation of a cessation of hostilities. But Cy and I have been fighting an astonishing level of sheer ignorance amongst key players in Washington and there is no doubt the critics of our plan are marked out by a determination not to be a Carter Mark II Administration. Let us hope we do not pay too heavy a price for this delay and we can get the peace talks back on track when all the Bosnian leaders are due to arrive in New York later this week.

DAVID OWEN

Supplementary documents

2. Negotiating with three parties – the Government of Bosnia-Herzegovina, the Bosnian Serbs and Bosnian Croats – who refuse to sit in the same room.

1. An important paper presented to the Co-Chairmen of ICFY by Martti Ahtisaari, Chairman of the Bosnia-Herzegovina Working Party on Constitutional Options, 4 October 1992, outlining the options for the shaping of a settlement.
2. Oral Report by Martti Ahtisaari, Chairman of the Bosnia-Herzegovina Working Group to the ICFY Steering Committee on a constitutional settlement, 27 October 1992.
3. Selected extracts from the Report from the Bosnia and Herzegovina Working Group to the Security Council on the work of the International Conference on the Former Yugoslavia, 11 November 1992.
4. Oral Report by Martti Ahtisaari to ICFY Ministerial Steering Committee meeting, Geneva, 16 December 1992.
5. Speech by Lord Owen to ICFY Ministerial Steering Committee meeting, Geneva, 16 December 1992.

1.

Paper presented by the Chairman of the Bosnia-Herzegovina Working Group to the Co-Chairmen of ICFY

4 October 1992

CONSTITUTIONAL OPTIONS

Range of Constitutional Models for BiH Structure that seem to be emerging

The following options are based on the consultations so far held with the three parties in the BH Working Group, and in particular reflect the contents of the three draft proposals annexed hereto and identified herein. Not yet reflected herein are the answers that we hope to receive from the parties during the course of the next week, in reply to a questionnaire on their preferences as to the distribution of governmental responsibilities between a central governments and any “constituents units”.

- 1. A largely centralized state with minor local functions assigned to a number (10–20) communes whose boundaries would be determined on most other than ethnic lines. [BH Government = Muslim draft – see Annex I]**

PRO:1. Given the size and population of BiH, this is probably the optimal form of governmental arrangement.

2. It is favoured by the representatives of the large national group.

CON:1. It is strongly opposed by the representatives of the two national groups that together make up a majority of the country.

2. **A centralized federal state but with significant functions (especially in fields of education and culture) carried by 4–10 “regions” whose boundaries would take into account ethnic and other considerations (likelihood that most would have a significant majority of one of the ethnic groups, and all would have significant minorities of the others).** [Present apparent position of ICFY.]

PRO: 1. It seems to be the best compromise between the widely differing positions of the Muslims on the one hand and the Serbs and Croats (not identical) on the other.

2. It promises to be perhaps the most stable governmental form for all of BH, since much inter-communal friction can be kept from the federal level by the regional competencies over the most divisive issues, while the regions would not have enough independence or ethnic homogeneity to flirt seriously with Serbia or Croatia.

CON: 1. The regions will probably not be large enough to be the responsible carriers of serious responsibilities. There may be considerable differences in their relative financial strength.

3. **A loose federal state of three primarily ethnically determined “constituent units” – consisting of areas that would not be geographically contiguous.** [18 March 1992 “agreed” draft – see Annex II]

PRO: 1. This scheme had once achieved general agreement of the parties as well as of the European Community.

CON: 1. Without significant ethnic cleansing it will be impossible to draw boundaries that will give any coherence to three primarily ethnically based regions. (They will look like some of the Bantustans.)

2. The structure will be inherently unstable because of the centrifugal forces of two of the ethnic groups, which will draw their constituent units respectively to Serbia or the FRY and to the Republic of Croatia and thus, would relatively quickly but painfully move to model 4 and then possibly 5 – with the disadvantage that the remaining Muslim state would then not be a viable one.

4. **A loose federation of three ethnically determined states with significant or possibly even total independence in the foreign relations and defence fields and basically merely co-operative arrangements in most economic ones.**
[BH Serb draft – see Annex III].

PRO: 1. This is the model explicitly desired by the second largest national group and is probably acceptable also to the smallest such group.

CON: 1. A great deal of ethnic cleansing would be required as a precondition for this model.

2. The model is inherently unstable, for the states would be sufficiently independent that the Serb one would immediately tend towards intimate ties with Serbia or FRY, and the Croat one with the Republic of Croatia. It is unlikely that any real effort would be made to make the BH union work.

3. It is unlikely that sufficient agreement could be reached among the three States on economic and such matters (e.g., as single currency) to make the union or its constituents viable.

5. **A Muslim state (possibly with boundaries drawn somewhat more generously than under the federation model), with the Serbs either becoming an integral part of Serbia/Yugoslavia or part of a federal unit of**

that state, and the Croats becoming a part of Croatia. [Probable real aim of the Serbs and Croats.)

PRO: 1. It would seem to be the stablest of the structures, and the one towards which ## 3 and 4 would probably head -- though then much more painfully and without leaving a viable Muslim state.

2. It would reduce ethnic tensions to a minimum.

CON: 1. Would have to be preceded by a great deal of ethnic cleansing.

2. May be difficult to make the Muslim state (the only one in Europe) really viable.

3. It would violate the principle of the stability of boundaries.

4. It would seem to reward the Serb and Croat aggressions.

NB. 1. Whatever the final outcome may be, the international community should insist and it would have to constitute part of the final Conference package, that all persons displaced have: (a) a full right to return to their original homes (whether or not they constitute minorities there) and in any event to be fully protected by a high level of human/group rights; or (b) to receive prompt full compensation from the entity controlling their former homes (which may take the form of exchanges of property arranged among such entities). Under models 1–2 one would expect that most people would choose and be encouraged to opt for (a), while under models 3–5 the likely choice of most might be (b).

2. In any event, all governmental units would be required, by domestic constitutional as well as by international mechanisms and controls, to

observe a high level of human, especially civil and political, and to some extent also economic, social and cultural rights, with special reference to group or minority rights.

2.

**INTERNATIONAL CONFERENCE ON THE FORMER
YUGOSLAVIA**

**ORAL REPORT BY THE CHAIRMAN OF THE BOSNIA-
HERZEGOVINA WORKING GROUP TO THE ICFY STEERING
COMMITTEE**

27 October 1992

1. The London Conference declared as the assignment of the Bosnia-Herzegovina Working Group: “to promote a cessation of hostilities and a constitutional settlement in Bosnia-Herzegovina”.
2. The Working Group took up this dual task on 18 September, and since that time has had 26 formal meetings, each between the Chairman and the representatives of one or another of the parties, since so far some of these have been unwilling to negotiate directly with the others. In addition, there have been almost an equal number of informal consultations, between the Co-Chairmen, the Chairman of the Working Group or members of the secretariat, and the leaders or other members of the delegations. As a result of these multiple and extensive contacts, Mr Vance, Lord Owen and myself have acquired a good understanding of the positions of the parties on many of the important issues before the Working Group.
3. As the Working Group’s task is a dual one, some meetings have been devoted to both the promotion of a cessation of hostilities in Bosnia and Herzegovina and to the promotion of a constitutional settlement in that country, while at others only one of these subjects was discussed. Let me first mention briefly what has been done on the first of these subjects, since it was always understood that the two aspects of our work are closely related and evidently a constitutional settlement – which will be the

principal subject of my remarks and which is dealt with in detail in the paper before you – cannot be achieved without an end to the fighting – while equally there cannot be a durable cessation of the shooting until all the warring parties see at least the outline of a satisfactory constitutional solution that will protect their basic interests.

Cessation of hostilities

4. With respect to the cessation of hostilities, you already know that after two weeks of consultations the first breakthrough was that announced by the Co-Chairmen in their Statement of 30 September, that:

The delegations [participating in the talks on Bosnia and Herzegovina] have agreed that discussions will commence immediately involving their military commanders and local authorities, meeting under the good offices of UNPROFOR and the Geneva Conference.

While it is unfortunate that the Mixed Military Working Group established consequent on that agreement did not become operational for another three weeks – a period that, as you know, was marked by intensive fighting and the increased suffering of civilians – I can now tell you that on last Friday and yesterday two lengthy meetings took place at which the work was started. Furthermore, in the negotiations leading to the first of these meetings, arrangements were made as a consequence of which the supply of water, electricity and telephone service has resumed to parts of Sarajevo.

5. Evidently, there is much that still needs to be done until the guns are once more silent in Bosnia and Herzegovina. However, a start has now finally been made, and we will of course do our utmost to maintain the positive momentum that finally appears to have been achieved.

Constitutional arrangements

6. Turning now to the consultations on constitutional arrangements, the first subject addressed in the Working Group was that of human rights. This subject was chosen because it appeared, from the earlier consultations under the chairmanship of Ambassador Cutileiro, as well as from current written and oral statements by the parties, that there was a wide measure of agreement between them on at least three propositions:

- (i) That Bosnia and Herzegovina must be bound by and maintain the highest level of human rights accepted by the international community, and that these rights must in particular include those developed to protect national, ethnic, religious and other groups and minorities;
- (ii) That the immediate source of these rights should be a number of internationally adopted instruments, principally multilateral treaties but also including solemn declarations of important international organs, in particular the United Nations, the Council of Europe and the Conference on Security and Cooperation in Europe; and, finally,
- (iii) That the implementation of any rights set out in the Constitution must be carried out by an array of both domestic and international monitoring and supervisory mechanisms.

7. To assist the parties in their consideration of these points and to help concretize their thinking, the secretariat of the Conference distributed to and discussed with them a number of papers, which are listed in paragraph 7 of the document before you. These discussions confirmed our appreciation of the central role that these rights and these protective devices would have to play in any Constitution for Bosnia and Herzegovina. I shall revert to this question later, when discussing the Co-Chairmen's actual proposals, which are annexed to the document I have already referred to.

Decentralization

8. The next subject we addressed in the Working Group was clearly much more controversial one: the legal and political form that the future Bosnia and Herzegovina should have. On this the views clearly differed widely, from those advocating three loosely linked independent States to those who aimed for a single centrally controlled one. However, once the secretariat received the responses of the parties to a questionnaire as to their preferences concerning the distribution of governmental responsibilities between the central government and whatever “constituent units” the country might be divided into, it became apparent that each of the parties desired a state in which the central powers would be minimized and those of the regional units maximized.

9. The apparent consensus on this point, i.e. on the desirability of a highly decentralized state, greatly facilitated the search for a solution of the problem of how Bosnia and Herzegovina might be reconstructed, so as to meet two basic criteria:

- (i) That as far as possible most citizens of the State should live within a governmental unit in which the group they belong to constitutes a majority – or, to put it another way, as few citizens as possible should need to live in a governmental unit in which their group constitutes a minority – and that these governmental units should have the responsibility of dealing with most questions that directly concern citizens: their education, their culture, their commerce, their police and the bulk of their taxation.
- (ii) That all this must be accomplished in such a way so as not to accept the results of the “ethnic cleansing” that has so far taken place and indeed to permit the reversal of that unacceptable process so that all who have been displaced from their homes should have an opportunity of returning thereto.

Delimiting the Provinces

10. Anyone studying a demographic map of Bosnia and Herzegovina will see that the population distribution immediately before the present conflict was such that on the one hand the three major ethnic/religious groups – namely the Muslims, the Serbs and the Croats – were considerably intermingled, so that no large coherent areas could be identified in which one group or another had a clear majority – but that on the other hand the population distribution was by no means homogeneous, so that there were indeed significant areas in which one group or another clearly predominated. This suggests that, even if ethnic cleansing is undone – as the Co-Chairmen and indeed the world community insists that it must be – it will be possible to identify a number of units, to which I will henceforth refer as “provinces” – that can be identified as Muslim, or Serb or Croat. Generally speaking, however, these areas in which a particular group predominates would not be adjacent to other such areas. Furthermore, in a few such provinces, none of the groups would constitute a majority.

11. This brings me to the question of how many provinces should be created. Evidently, if their number is very low, then it will not be possible to achieve both a large degree of group homogeneity and still preserve coherent boundaries without large-scale population transfers. On the other hand, if their number is too large, then many of the resulting provinces would not be economically and otherwise viable, so that the intention to decentralize most governmental powers to them could not practically be realized. It is on this basis that we have concluded that the optimal number of provinces lies between 7 and 10.

12. As to the actual boundaries of the provinces, they should be drawn so as to define areas that are as geographically coherent as possible, taking into account ethnic, geographic, historic, communication and other features, as well as economic viability. The work of accomplishing this is not ready yet, but has started on the basis of maps supplied to us by all the parties giving their own concepts on this point. We intend to proceed with this task as rapidly as possible, utilizing, as appropriate, expert advisers on demographic, economic, geographic, military and other relevant disciplines. Thereupon the results of these considerations will be presented to the

parties. Meanwhile, however, we consider that the work of negotiating the main features of the Constitution, and agreeing on many of its details, can proceed apace.

13. Once the boundaries have been agreed to by the parties --and we realize that this will involve some difficult negotiations – they are to be incorporated into the Constitution. Once in the Constitution, it will later be possible to change them by amending that instrument, but the procedures for adopting such amendments and in particular the majorities to be required, would be such that they can only be attained if the three major ethnic/religious groups all agree as to the desirability of the proposed change.

14. It should also be understood that the boundaries between provinces are not to have the character of state borders, that is there are to be no border or other controls that would hinder the free movement of people and goods throughout the entire country.

Ethnic/Religious groups

15. It is proposed that the Constitution should recognize the existence of the three major “constituent peoples”, that is, the Muslims, Serbs and Croats, as well as of a smaller group of “others”, in two ways: by providing that certain governmental posts or functions be assigned by rotation to or by equitable balancing of the recognized groups, and also by the conscious protection of group or minority rights.

Allocation of governmental powers

16. As I have already said, if the object of bringing the main functions of government close to the people is to be accomplished, then these functions must be as widely distributed as possible, that is not carried by the central government but rather by the provinces. As I have also already said, such dispersion of governmental

authority is facilitated by the fact that all three parties agree on the principle of far-going decentralization.

17. Under the scheme that the Co-Chairmen are proposing, the responsibilities of the central government would largely be confined to foreign affairs, to international commerce, to the national defence (on which I will make some additional remarks later), to the determination of citizenship, and to taxation for these limited purposes. With respect to the latter, it should, however, be mentioned that to the extent it does not prove possible to make all the provinces viable, consideration may also have to be given to authorizing the central government to raise limited revenues to be distributed to the provinces.

18. It is also proposed that certain tasks be carried out on the national level, not by organs of the central government but rather by independent authorities governed by representatives of all the provinces. These would be assigned operational and some regulatory tasks. For example, it is proposed that the Central Bank, which would be both the issuer of the national currency and the principal regulator of financial institutions in the country, be such an authority.

19. As I have already said, and indeed it is a principal purpose of this exercise, most governmental functions are to be carried out at the local, i.e. the provincial level. This relates in particular to the police, which is to be in the hands of the provinces. Also provincial would be almost all activities in which individuals are directly affected by the government, such as education and culture activities, the licensing of trades, professions and businesses, and the provision of health and social care and insurance. These are the functions that are of particular concern to those intent of maintaining the separate heritages of the several peoples constituting Bosnia and Herzegovina. However, as it is also recognized that, inevitably, there will be some minorities in all the provinces, whose rights are to be adequately safeguarded by means of the strong human rights provisions, to which I have already alluded and to which I will revert towards the end of this presentation.

20. It is also important that the provinces are to have the power to raise the taxes necessary for their own activities, and will consequently be responsible for their own economies and infrastructure.

Structure of the Government

21. Now let me make some remarks about the structure of the central government foreseen for Bosnia and Herzegovina. Incidentally, each of the provinces is also to have its own government, but, in the spirit of the autonomy of the provinces, it is not intended to negotiate these regional instruments at this Conference. They will, of course, have to be consistent with the national Constitution, in particular in observing the democratic governmental principles that are set out in a number of the international human rights instruments that the parties desire to have incorporated into the national Constitution. If it would be useful, the Conference secretariat might give some assistance to the parties on this point, perhaps by preparing guidelines or a skeleton for the provincial constitutions.

22. The central government is to have the classical three branches: a legislature, an executive and an independent judiciary.

23. It is proposed that the national legislature be bicameral. The Lower House should be popularly elected, with the assignment of seats to be determined by proportional representation calculated with reference to the country considered as a whole. As it may be expected that for the present most citizens will vote along ethnic/religious lines, it is likely that, at least initially, its composition will closely reflect the ethnic composition of the country. It may be that in some years other political parties may develop that are not primarily ethnically-based but that would reflect political or ideological orientation or other, concerns, such as for the environment.

24. It is proposed that the Lower House appoint the Prime Minister and, eventually, the Ombudsmen – functions that are typically performed by the popularly

elected legislative chamber. It is to share responsibility for legislating with the Upper House, though it might be provided – as is true in many countries – that the Lower House, as the only popularly elected body, should predominate in any case of conflict between the two chambers.

25. It is proposed that the Upper House be appointed by and from the provincial governments. As it is expected that most of the provinces will have a population in which one ethnic/religious group or another predominates, that House too is likely to reflect roughly the composition of the country as a whole.

26. As to the executive power, it is proposed to distribute it among a number of persons and bodies: a Presidency, a President, a Prime Minister and the other Ministers constituting the Cabinet. Taking these in order:

- (a) The Presidency is to be a collective body consisting of all the provincial Governors and chaired by the President, which is to have no executive powers but be responsible only for most of the senior appointments of the central government: of the President, the judges of the central courts and the military chiefs, and for approving the Ministers selected by the Prime Minister; in all these appointments it is to observe group balance or rotation, and challenges as to these matters can be taken to the Constitutional Court – to which I will come later.
- (b) The largely ceremonial Head of State will be the President, appointed by the Presidency, for a limited term to be specified in the Constitution, and observing the principle of group rotation.
- (c) The Head of Government will be the Prime Minister, elected – as is customary in parliamentary democracies – by the Lower House. The Constitution will have to specify, the precise division of powers between the Prime Minister and the President.

- (d) The Cabinet Ministers are to be appointed by the Prime Minister, subject to approval by the Presidency. Again group balance is to be maintained, especially in respect of the Prime Minister and the senior Ministers.

27. There is to be a single judicial hierarchy in the country. The courts of first instance and the first level of appellate courts – that is, the judicial institutions with which citizens are most likely to be in contact – are to be established strictly on the provincial level. However, the highest appellate courts are to be national ones, whose judges are to be appointed by the Presidency. These latter courts might be restricted to normally considering only appeals relating to national law, that is the national Constitution, national legislation and international treaties binding on Bosnia and Herzegovina.

28. The Co-Chairmen are also proposing the establishment by the Constitution of two special courts: a Constitutional Court and a Human Rights Court. Both are, during the initial period and in accordance with the express wishes of the parties, to consist of both national judges, appointed by the Presidency so that each group is represented, and of a slightly larger number of foreign judges; in respect of the proposed Constitutional Court these are to be appointed by our Conference, and in respect of the Human Rights Court by and probably from the European Court and the European Commission of Human Rights, pursuant to a mechanism that the Council of Europe is now considering.

- (a) The Constitutional Court will have as its primary task the settlement of any disputes between the provinces, or between the provinces and the central government, or between officials or bodies of the latter, for example, between the President and the Prime Minister. In addition, it will decide any challenges regarding the observance by the Presidency of its obligation to maintain group balance or rotation in its appointments. Finally, it will be the final court of appeals on constitutional questions from the normal court system.

- (b) The Human Rights Court is to be the highest national court of appeals as to any question regarding the constitutionally guaranteed human rights.

Organization and control of executive force

29. As the central government is to be solely responsible for national defence, the military forces will be entirely under its control. The senior staff, which is to be appointed by the Presidency, must be balanced in respect of the recognized groups and the post of Chief of Staff must rotate among these. Also, every military unit is to be fully integrated and function on a non-discriminatory basis. At least for an initial period these requirements of balance, rotation, integration and non-discrimination are to be supervised by an international authority designated by our Conference, because it is recognized that the melding of three armed forces which currently are still engaged in bitter combat is unlikely to be successful without some outside assistance and mediation.

30. The military forces controlled by the central government are to be the only ones in the country. Therefore neither the provinces, nor any other public or private entities, will be permitted to form para-military units or to possess heavy weapons.

31. All uniformed police are to be controlled by the provinces or by local authorities under them. How these would be armed could be limited by national legislation. All police forces are to be fully integrated, and this requirement too would initially be supervised by an international authority designated by this Conference. There is to be no uniformed, armed police, controlled by the central government, but only a co-ordinating mechanism to assist the provincial police authorities and to maintain contacts with international and foreign police authorities, such as INTERPOL.

Human Rights

32. As I have already indicated, all parties are in agreement, and the Co-Chairmen intend to insist, that the highest levels of human rights – as recognized by the international community and expressed in treaties and in solemn declarations by international bodies – will have to be incorporated into the Constitution of Bosnia and Herzegovina. In particular, it is proposed that the most important of these international instruments be specified in the Constitution, and that the rights set out in these – including in particular group or minority rights, and rules relating to the prevention of and the reversal of ethnic cleansing – are to become immediately applicable law on which all persons will be able to rely in all courts and in relations with any governmental authorities. Furthermore, Bosnia and Herzegovina will be required to become a party to those instruments as far as possible – which in respect of most of the United Nations treaties will merely require a statement of succession filed with the Secretary-General. By becoming a party to these treaties, the country will also become subject to the various monitoring and disputes settlement organs established by many of these instruments.

33. All parties also recognize that it will be necessary to provide effective means for implementing the rights set out directly or incorporated by reference into the Constitution. For this purpose a number of devices are foreseen:

- (a) All persons are to have unrestricted access to the courts in all circumstances – that is also in situations of public emergencies – and in these courts they will be able to rely directly on the constitutionally guaranteed human rights. The highest of these courts is to be the Human Rights Court with a majority of non-local judges.
- (b) There are to be four Ombudsmen, one for each group, initially appointed by this Conference and later by the Lower House, who are to have wide powers of investigation and negotiation on behalf of the rights of persons and groups. They will have the responsibility of reporting on any problems in implementing human rights to the competent organs of both the provincial and the central governments, and may also enter the courts to protect such rights.

- (c) There is to be an International Human Rights Commission for Bosnia and Herzegovina, to be established by this Conference and maintained by a successor authority designated by the Conference, which is to have wide powers to investigate the human rights situation in the country and to report to all competent international organs, that is to those of the United Nations System, the European Community, the Council of Europe and the CSCE.

34. There is to be a single Bosnia-Herzegovina citizenship, but all citizens are also to be permitted to hold the citizenship of any other country.

Transitional Measures

35. Because it is recognized that at the termination of the present bloody conflict it may not be easy for all the citizens of Bosnia and Herzegovina to live together immediately in peace and harmony and for the proposed governmental organs in which all the now warring parties are to be represented to function smoothly, a number of measures of international control and supervision will certainly be required. I have already referred to most of these. In particular, both the proposed Human Rights Court and the Constitutional Court are to have a majority of foreign judges appointed by international authorities. The four Ombudsmen, though nationals of the country, will initially be appointed by this Conference. The integration, group balance and the observance of non-discrimination rules by the military forces and the police are to be supervised for a period by authorities to be designated by this Conference. Finally, there is to be a special Human Rights Commission.

36. It is hoped that it will be possible to dismantle at least some of these international controls after not too long a period. In part this would be left to the determination of this Conference or of any successor authority it designates. In part, the constitutional provisions in which these devices are embodied are to be subject to amendment, but only by majorities high enough that they can only be attained by the

collaboration of the three major ethnic/religious groups – so these protective devices cannot be removed as long as one of them objects.

Future Measures

37. The “Proposed Constitutional Structure for Bosnia and Herzegovina” that is annexed to the document before you and that is to be presented to the parties tomorrow is, as you can see, basically merely an outline. It will have to be fleshed out in negotiations among the parties within the framework of my Working Group, to supply all the necessary details and the precise language required for a constitutional text. In this the secretariat of the Conference will naturally be prepared to assist.

38. It is intended to present to the parties, in the course of these negotiations, proposals as to the geographical definition of the provinces.

39. Then, when all this has been accomplished and the negotiations have been concluded, the Constitution of Bosnia and Herzegovina is to be adopted within the framework of this Conference. With the assistance of the world community, as represented by the States and organizations that constitute this Committee, it is hoped that this moment will not be delayed all too long.

3.

Selected extracts from the report of the Working Group on Bosnia and Herzegovina to the UN Security Council, 11 November 1992

2. Structure of the State

(a) Basic Considerations

34. It was recognized from the beginning that the views of the three parties diverged widely on the structure of the future Bosnia and Herzegovina. One of the parties initially advocated a centralized, unitary State, arranged into a number of regions possessing merely administrative functions. Another party considered that the country should be divided into three independent States, respectively for the Muslim, Serb and Croat peoples, with each of these States having its own international legal personality, which States might form a loose confederation for the purpose of coordinating certain of their activities. The third party supported a middle position.

35. The basis for the consideration of this issue was the Statement of Principles adopted by the International Conference on the Former Yugoslavia in London (LC/C2 (FINAL)), and especially its total condemnation of forced expulsions of populations and the reversal of those which had already taken place (paragraph vi), as well as respect for the inviolability of all borders and the rejection of all efforts to change borders by force (para. Vii). These principles had also been reiterated in paragraphs (c) and (e) of the above-cited Statement on Bosnia.

36. The population of Bosnia and Herzegovina is inextricably intermingled. Thus, there appears to be no viable way to create three territorially distinct States based on ethnic or confessional principles. Any plan to do so would involve incorporating a very large number of members of the other ethnic/confessional groups, or consist of a number of separate enclaves of each ethnic/confessional group. Such a plan could achieve homogeneity and coherent boundaries only by a process of enforced population transfer – which has already been condemned by the International Conference on the Former Yugoslavia as well as by the General Assembly (resolution

46/242, preamble and para. 6) and the Security Council (resolutions 771 (1992) and 779 (1992)). Consequently, the Co-Chairmen deemed it necessary to reject any model based on three separate, ethnic/confessionally based States. Furthermore, a confederation formed of three such States would be inherently unstable, for at least two would surely forge immediate and stronger connections with neighbouring States of the former Yugoslavia than they would with the other two units of Bosnia and Herzegovina.

37. The Co-Chairmen also recognized, however, that a centralized state would not be accepted by at least two of the principal ethnic/confessional groups in Bosnia and Herzegovina, since it would not protect their interests in the wake of the bloody civil strife that now sunders the country.

38. Consequently, the Co-Chairmen believe that the only viable and stable solution that does not acquiesce in already accomplished ethnic cleansing, and in further internationally unacceptable practices, appears to be the establishment of the centralized State. This would mean a State in which many of its principal functions, especially those directly affecting persons, would be carried out by a number of autonomous provinces. The central government, in turn, would have only those minimal responsibilities that are necessary for a state to function as such, and to carry out its responsibilities as a member of the international community. The proposed decentralisation also appears to reflect the wish of all the parties, as indicated by their responses to the questionnaire on the distribution of governmental responsibilities mentioned in paragraph 32 above.

(b) Number of Provinces

39. In considering the number of units, tentatively referred to as “provinces”, into which Bosnia and Herzegovina might be arranged, account must of course be taken of the views of the parties. One party still insists on three as the appropriate number, as corresponding to the number of the principal “constituent nations” in the country. However, the party that originally favoured a centralized State with the existing 95 administrative units, now suggests that in a decentralized structure the number of provinces could be between 6 and 18.

40. In deciding what number or range of numbers to propose to the parties various considerations must be taken into account. These include the desirability that each of the provinces be an administratively and economically viable unit, a goal that would be difficult to achieve if the number of units were to exceed 10. Exceeding 10 would probably mean that some would have populations of less than a quarter million. On the one hand, if the number of the provinces were too few, it would be difficult to realize ethnic homogeneity without either violating the principle of geographic coherence or accepting the results of ethnic cleansing. Consequently, to meet these criteria the number of provinces might range from 7 to 10, with the precise number to be established by negotiation among the parties, in the light of proposed boundaries of the provinces.

(c) Boundaries of the Provinces

41. The boundaries of the provinces should be drawn so as to constitute areas as geographically coherent as possible, taking into account ethnic, geographical (i.e., natural features, such as rivers), historical, communications (i.e., the existing road and railroad networks), economic viability, and other relevant factors (annex VII below, sec. I.B.1). Given the demographic composition of that country, it is likely that many of the provinces (but not necessarily all) will have a considerable majority of one of the three major groups. Thus, a high percentage of each group would be living in a province in which it constitutes a numerical majority, although most of the provinces would also have significant numerical minorities.

42. Utilizing the maps supplied by each of the parties on a confidential basis, proposals are being developed for a possible arrangement of Bosnia and Herzegovina into provinces that would reflect the above-mentioned considerations. It is intended to do this as soon as possible, with the assistance of expert advisers.

(d) Nature of the Boundaries

43. The boundaries of the provinces are to be set out in the constitution and would be subject to change only by amending that instrument with majorities (either in the legislature, or in a referendum, or both) indicating that the three principal groups all accept the change (see annex VII below, sect. I. B.2).

44. The boundaries between provinces are not to have the nature of state borders i.e., there are to be no borders or other controls that would hinder the free movement of people and goods throughout the entire country (annex VII below, sect. I. B.4).

(e) Recognition of Ethnic and other Groups

45. It is common ground among the parties that Bosnia and Herzegovina is populated by three major “constituent peoples” or ethnic/confessional groups, namely the Muslims, the Serbs and the Croats, and also by a category of “others”. Two of the parties content that in designing a government for the country a predominant roles must be given to these “constituent peoples”. The other party considers that there should be no such overt recognition, although it admits that the political processes of the country have been and are likely to continue to be characterized by religious and ethnic factors. The paper on a proposed constitutional structure therefore proposes that the Constitution recognize the existence of the groups in two ways: by providing that certain posts or functions be assigned by rotation or by equitable balancing among the recognized groups (see, for example, annex VII below, sect. IV. A.2(a)), and also by the conscious protection of group or minority rights (annex VII, sect VI. A.2(b)), and appendix, part C).

3. Distribution of governmental functions

46. The task of making recommendations as to the distribution of governmental responsibilities and functions between the central government and the provinces was eased through the completion of the above-mentioned questionnaire by the delegation of each of the parties, and by the fact that their responses corresponded to a considerable extent. In particular, all responses indicated a preference for a

considerably decentralized State, with only minimal responsibilities entrusted to the central authorities.

47. The Central government (annex VII, sect. II. A) would be responsible for: foreign affairs (including membership in international organisations), international commerce, national defence and citizenship. Only a single citizenship is to exist in the country, although any person may hold dual citizenship (annex VII, sect. VI. C). The central government would have the power to tax for these limited purposes. Although it is intended to establish provinces that are all economically variable, if that cannot be fully realized or if some provisions are much poorer than others, than resource transfers among them may have to be envisaged, possibly using taxes collected by the central government.

48. It is proposed that certain tasks be carried out in a centralized fashion, not by the central government, but rather by independent authorities administered by representatives of all the provinces. These could be assigned operational and some regulatory tasks. In particular, the Central Bank, which is to be both the issuer of the national currency and the principal regulator of banks and similar financial institutions in the country, would be such an authority. Other authorities might be established, or constitute parts of international authorities, for operating certain transnational communication links (annex VII, Sect. II.B).

49. A few functions might be carried out jointly, or on the basis of responsibility shared between the central and the provincial governments (Annex VII, sect. II. II.C).

50. As already indicated, most governmental functions would be carried out at the provincial, or even local, level. This relates to the police, which is in almost all respects to be completely controlled by the provinces (annex VII, sect. V.2). In addition, almost all activities in which individuals are directly affected by the government, such as educational and cultural activities, the licensing of trades, professions and business and the provision of health, social care, and insurances would be carried out at the local level. These are the functions that are of particular concern to those seeking to maintain the separate heritages of the peoples constituting Bosnia and Herzegovina. Of course, as indicated in paragraph 64(b) below, the rights of the minorities likely to be scattered throughout each of the provinces would be adequately safeguarded. As far as possible, the provinces would be responsible for their own economies and infrastructure.

4.

Oral Report by Martti Ahtisaari, Chairman of the Bosnia-Herzegovina Working Group, to the ICFY Ministerial Steering Committee

16 December 1992

The terms of reference of the Bosnia-Herzegovina Working Group are "...to promote a cessation of hostilities and a constitutional settlement in Bosnia-Herzegovina". As General Nambair has dealt with much of what can be said about the first part of this dual mandate, I shall immediately turn to the constitutional issues.

At our last meeting I outlined the proposals that the Co-Chairmen were then about to present to the parties on a "Possible Constitutional Structure for Bosnia-Herzegovina". These proposals were the next day also communicated to the Security Council – which subsequently specifically endorsed them as the basis for the constitutional negotiations.

Following are the principal points of these proposals:

- (1) Bosnia and Herzegovina is to be a decentralized state with 7 to 10 autonomous provinces whose boundaries would take into account ethnic and other considerations. Many governmental functions, especially those relating to normal contacts of public authorities with citizens, would be assigned to the provinces.
- (2) The Constitution is to recognize three major "ethnic" groups, as well as of a group of "others".

- (3) A most important feature is to be insistent on the highest level of internationally proclaimed human rights, whose implementation is to be ensured and monitored by a variety of national and international organs.
- (4) Another important feature would be various international supervisory and control mechanisms, to continue for some time.

The **Bosnian Government** accepted the general outline of the Co-Chairmen's proposals, though it considers that they provide for excessive decentralization and that ethnic and other group considerations are overemphasized.

The **Bosnian Croats** declared the constitutional proposals to be a relatively acceptable basis for further talks, subject to three principal reservations: the constitutional arrangements should more adequately reflect that Bosnia-Herzegovina is a state of three constituent nations; that it should not become a protectorate of the international community; and there should be complete demilitarization.

The **Bosnian Serbs** on 19 November presented a counter-proposal, to be considered together with that of the Co-Chairmen. Under it, Bosnia-Herzegovina is to be divided, on an ethnic basis, into three sovereign states, each with international legal personality and only loosely confederated in a central unit. All the organs of the central government would be constituted by appointees of the three states on an equal basis, and would generally only be able to take decisions by consensus. Human rights would be guaranteed at the highest international level, but there would be no international monitoring of compliance.

Clearly, the positions of the parties remain far apart, and their proposals for altering features of the Co-Chairmen's proposal tend in at least partly divergent directions.

Although the Co-Chairmen's proposal specified criteria for the delimitation of the provinces, no boundaries were suggested as part of the original package. Instead, the parties were again requested to provide their own conceptions as to the boundaries to

be drawn – as a starting point for the development by the Conference of a set of proposals. It was only at the beginning of last week that the parties presented their ideas concerning boundaries.

The map of the **Bosnian Government** would divide the country into 13 provinces, with populations ranging from 564 thousand to 67 thousand. All of these would have an ethnically varied population, though in each province one of the ethnic groups would predominate – sometimes distinctly, sometimes just barely.

The **Bosnian Croats** submitted a map merely indicating those territories – consisting of one large, one medium-sized and 4 small ones – within which Croats allegedly constituted a majority of 60% or more. No indication was given as to how provincial boundaries might be drawn in this light, though it was explained that it was expected there would be two provinces and that other concentrations of Croat populations would end up in provinces with other majorities.

The **Bosnian Serbs** submitted a map that defined as Serb territory about 75% of the country, with a population of some 1.6 million Serbs – that is almost all the Bosnian Serbs – plus about 300 thousand Muslims and 100 thousand Croats.

The Government and the Croat delegations informed us that they would try to submit a joint proposal as to the delimitation of the provinces.

We intend to use the maps submitted or to be submitted by the parties to narrow the differences between them.

In my view, the immediate objective of the Conference in respect of Bosnia-Herzegovina will have to be two-fold: First, to induce all three parties to observe the ceasefire scrupulously. Each must refrain from any action that could be interpreted as a breach of the ceasefire, and not over-react to apparent breaches by others so as not to escalate violence. A procedure must be established to examine swiftly all allegations of ceasefire violations, the reports of which would be immediately submitted to the parties and, through UNPROFOR to the Secretary-General and the Co-Chairmen.

Secondly, all parties must participate immediately and unconditionally in continuous negotiations, in both the Mixed Military Working Group on all questions relating to hostilities, and in the Bosnia-Herzegovina Working Group on the formulation of the future constitution. In both these settings the three parties must sit together. In this connection it might be recalled that the three-week delay, from 30 September until 21 October, in convening the Mixed Military Working Group was largely due to the refusal of one of the parties to participate in joint meetings – and that meanwhile many lives were lost and the military situation deteriorated further with respect to that party.

It is my perception that the **Bosnian Serbs** are ready to engage in serious negotiations and recognize the need to make concessions from the initial position they have presented to the Working Group in respect of the delimitation of the provinces. The **Croats** are also prepared to participate.

Obviously all parties will have to make concessions in respect of positions they have advanced. At the same time, the Conference itself – as the custodian representing the international community – must make sure that certain principles are not compromised, such as the need for Bosnia-Herzegovina to become a functionally viable state able to carry out its international obligations and to ensure for all its citizens an assured existence in conformity with internationally recognized human rights.

Finally, the problems of Bosnia and Herzegovina cannot be separated from those of the other successor states to former Yugoslavia, and the fulfilment of the tasks of our Working Group may therefore only be possible in the context of an overall accomplishment of the mandate of this Conference.

5.

Speech by Lord Owen to ICFY Ministerial Steering Committee meeting, Geneva, 16 December 1992.

As Co-Chairmen we are both convinced that we should press for an overall settlement to be achieved as soon as humanly possible and that this will have to include the restoration of full autonomy for Kosovo where the situation is particularly dangerous. Realism tells us that there are many formidable problems ahead.

We have never doubted that the parties in Bosnia-Herzegovina cannot negotiate a settlement on their own and that there will have to be considerable pressure brought to bear on all three parties at various times. Many of the countries sitting around this table have a part to play in that process.

One of our concerns is that the Bosnia-Herzegovina Government is sadly increasingly becoming representative only of the Muslim population. We are travelling tomorrow to Zagreb to meet with President Tudjman and President Izetbegovic in an attempt to bring together the Bosnian Muslims and Bosnian Croats into a more representative Presidency. We will try, though we know it will be very difficult, to persuade both sides to come to some measure of agreement on a provincial map for Bosnia-Herzegovina.

So far we have failed to get the Bosnia-Herzegovina Government, at political level, to come around the same table with the Bosnian Serbs and Bosnian Croats. With so much of the territory in which they would normally be in the majority under the control of the Bosnian Serbs they are understandably afraid of negotiating now, as they see it, from a position of weakness. We will, I expect, need the support of countries particularly in the Islamic world to encourage President Izetbegovic to participate constructively in January. But if he is to compromise we will have to be able to

demonstrate that we are capable of rolling back the present Bosnian Serb frontline and obtaining their agreement to live under a rule of law that allows for ethnic cleansing to be reversed.

The Bosnian Croatian position presents for the moment the least difficulty and indeed could become a helpful factor in negotiations, but there are still parts of the Croatian Army in Bosnia Herzegovina and some unauthorised flights from Zagreb.

The overriding challenge is, however, to roll back the Bosnian Serbs and here General Mladic is becoming evermore important. He is a determined officer. While he probably listens to President Cosic and General Panic he is not controlled by them. He answers to President Milosevic.

It is Belgrade, above all, who control the main pressure points on the Bosnian Serbs. Dr Karadzic ultimately answers to Belgrade and in effect the Bosnian Serb military effort and economy, apart from food, is critically dependent on decisions taken in Belgrade. We are right therefore in believing that Belgrade has – if it cares to exercise it – the capacity to deliver a settlement.

That is why it is fundamentally important that all existing sanctions against Serbia and Montenegro are maintained and indeed reinforced. We cannot afford to allow sanctions to be evaded as happened a few weeks ago with the oil embargo. We need a person who can string together intelligence information from different countries and report evasions and potential sanctions busting to the Sanctions Committee. Having adopted at last stop and search in the Adriatic we must have stop and search on the Danube. It is prudent too for us all to plan for new and tougher sanctions. They may be needed against an intransigent new Serbian government, but we as Co-Chairmen do not believe that they should be applied or even threatened until we have given whatever new government emerges in Belgrade the opportunity to contribute positively to the negotiating process. Whatever happens on 20 December President Cosic will remain the President.

We intend to proceed on a determined and persistent path towards a negotiated settlement.

Between Christmas and the New Year Dr Boutros Boutros-Ghali will be visiting Geneva and during that time he has agreed to meet with us and President Cosic and also separately with President Tudjman. We may or may not seek to bring the Presidents together.

If no candidate in the Serbian Presidential elections obtains more than 50 per cent of the vote there will have to be a run-off, and the most likely time for a second election is thought to be 3 January. The results would not be known before 4 or 5 January and there will be a public holiday because of the Orthodox Christmas on 7 and 8 January. We may find therefore that we have not got an authoritative government to deal with in Belgrade until the week beginning 11 January. Yet neither of us believes it is acceptable in terms of the situation on the ground in Bosnia-Herzegovina or indeed in terms of world opinion for us to wait until then.

We are therefore inviting to Geneva on 2 January President Izetbegovic, Dr Karadzic and Mr Boban and asking them to bring their senior military commander. We want not only a sustainable cessation of hostilities and the demilitarisation of Sarajevo, but also to try to reach an agreement on a pullback from the military front line in a way which reinforces and goes with the grain of an overall political settlement. We will also be trying to ensure free access of all citizens in and out of cities and towns that have been under siege and the free movement of humanitarian aid. We will be inviting Belgrade and Zagreb to send representation at the level they think appropriate to these talks. We will plan to follow these talks up when the political situation is clearer in Belgrade with further meetings in the middle of January.

We believe that only when this process has been undertaken will we be able to analyse the potential for a genuine negotiated settlement which fulfils the principles laid down for this Conference at the end of August in London. If any party in Bosnia-Herzegovina or any government in Zagreb or Belgrade is obstructing such a settlement we will not hesitate to bring their attitude and action to the attention of this

Conference. We cannot fix deadlines or milestones but when a new administration is established in the United States it may well be appropriate to adopt new measures in the Security Council and even meet again at Ministerial level.

At this stage, however, neither Cyrus Vance nor I are faint hearted about the prospect of a negotiated settlement. A great deal of time and effort has been invested in a negotiated settlement since we met together for the first time here on 3 September. We intend to capitalise on that investment. We do believe, however, that four additional new measures should be considered.

Firstly, consideration of the establishment of an international Criminal Court through a Resolution by the Security Council. It would surely be wrong if the practitioners of ethnic cleansing are not brought to justice.

Secondly, consideration of a Chapter VII determination to make it possible to enforce a no-fly ban by the Security Council if and only if infringements continue. This is a two stage process for the implications of any actual enforcement for UN troops, UNHCR and others on the ground in BiH demand the deepest analysis by members of the Security Council. The Secretary General will also need to be fully involved in any decisions on the timing and the type of any enforcement action and his decision to ask NATO for planning assistance will help this process.

Thirdly, consideration to toughening existing sanctions through a mechanism for using delicate intelligence and other information so as to report evasions to the UN Sanctions Committee at the earliest moment.

Fourthly, consideration to a Security Council Resolution on Kosovo making it clear that all parties should show restraint but that any further internal suppression would be considered a threat to the peace and that negotiated autonomy is an essential and urgent priority.

We both remain firmly against making any change in the Security Council arms embargo which was passed in September 1991 and covers the whole territory of the

former Yugoslavia. Now is the time to test the parties inside Bosnia-Herzegovina and the countries surrounding Bosnia-Herzegovina at the negotiating table. It must never be forgotten that peace will only come to the former Yugoslavia through negotiations. To bring that about we need a judicious use of moral, political, economic and military pressures.

Supplementary documents

to

3. All Party direct peace talks on Bosnia-Herzegovina

2 January – 30 January 1993

1. Opening Statement by Cyrus Vance at ICFY Peace Talks held in Geneva involving, for the first time, all three parties, 2 January 1993
2. Opening statement by Lord Owen at ICFY Peace Talks, 2 January 1993
3. Report on Peace Talks 2-4 January 1993 from Cy Vance to UN Secretary-General for use in briefing the Security Council with attached Map A

Also much of the reporting to the Security Council and the Co-Chairmen's speeches in the Security Council during this time can be found in the ICFY Official Papers edited by B G Ramcharan (The Hague: Kluwer Law International, 1997)

4. Memo from Cyrus Vance, 12 January 1993, to UN Secretary-General's office, New York, summarising Peace Talks in Geneva, and submitting draft report for Secretary-General to submit to the UN Security Council.
5. Reuters report from Washington on President Bill Clinton Administration's attitudes to Bosnia-Herzegovina, 21 January 1993.
6. COREU Report from Lord Owen on Peace Talks on Bosnia, 29 January 1993.
Remarks by Cyrus Vance at Geneva Plenary Session, 30 January 1993.
Remarks by Lord Owen at Geneva Plenary Session, 30 January 1993.
Report by Lord Owen's Private Secretary on Peace Talks on Bosnia, 30 January 1993.

1.

International Conference on the Former Yugoslavia

Opening Statement by Mr Cyrus Vance to ICFY Peace Talks in Geneva, 2 January 1993

Excellencies,

This is an historic meeting. It is our best chance for peace and we must ensure that it succeeds. From the beginning, we have sought to work together with you in the quest for peace. Now, for the first time, we have the leaders of all delegations assembled here, together with their political and military advisers. You can at decisively to bring an end to the plight of the people of Bosnia-Herzegovina, who have suffered so grievously.

The process we are starting today can make the difference between peace and war; between life and death for thousands of people. Those gathered around this table have it in their power to prevent us from sliding into escalation, or expansion, of the conflict. You, the leaders around this table, can control what comes next. Peace can only come about with your cooperation. We, in the International Conference, are here to assist you; the decision to choose peace or war rests with you.

It is your historic responsibility to see to it that peace prevails. We therefore welcome you and thank you for accepting our invitation to join us in these peace talks.

Peaceful solutions are within our grasp. The groundwork has been laid within the International Conference in the form of the principles agreed to, and the commitments made by all of the parties – many of which have unfortunately not been fulfilled. The road to peace lies in implementation of these principles and commitments. Time is running short.

We expect that the outcome of the process starting today will be the achievement, and consolidation, of tangible measures for peace. Let us, in this regard, remind you of the principles and commitments that already unite you:

- You agreed to the Principles of the International Conference adopted on August 26. You committed yourselves that all parties should cease fighting and should engage actively in negotiations. You agreed on respect for the highest standards of human rights and on non-recognition of advantages gained by force.
- You agreed in London to the Statement on Bosnia adopted on August 27. It calls inter alia, for a full and permanent cessation of hostilities; recognition of Bosnia-Herzegovina by the former Yugoslav republics; respect for the integrity of present frontiers, unless changed by mutual agreement; guarantees for the rights of all national communities and minorities; and the establishment of democratic and legal structures in Bosnia-Herzegovina.
- The three Bosnia-Herzegovina sides agreed to participate continuously and unconditionally in negotiations for the achievement of a cessation of hostilities and a constitutional settlement.
- The three Bosnia-Herzegovina sides also agreed to the unconditional and unilateral release, under international supervision, of all civilians detained, and the closure of detention camps without delay. To date, 137 prisoners have been released by the Bosnian Government; 5,040 prisoners have been released by the Bosnian Serbs; and 357 released by the Bosnian Croats. Unfortunately, 2,757 prisoners are still known to be held in captivity. According to the ICRC, 887 prisoners are still held by the Bosnian Government; 1,333 prisoners by the Bosnian Serbs; and 537 by the Bosnian Croats. A paper is being circulated to you which provides further information on where the detainees are being held. Your immediate release of all detainees is essential. It would not only be an indication of your peaceful intentions, but could also help stop the drums of war, which are beating so loudly around us as we meet here today.

- The three sides agreed, on September 30, 1992, to the establishment of a Mixed Military Working Group to discuss the demilitarization of Sarajevo, the cessation of hostilities in Bosnia-Herzegovina, and other military issues. Talks to achieve these objectives have been going on in Sarajevo since October and 17 meetings of the Mixed Military Working Group have so far been held.
- The three sides also agreed, with effect from November 12, 1992, to an unconditional cease-fire throughout Bosnia-Herzegovina. On December 13, you reaffirmed your commitment to the unconditional cease-fire – a commitment which has not been realised fully.
- The three sides have made political and moral commitments to allow humanitarian assistance to reach all civilians in need.

We are assembled here today to bring about the implementation of these agreements.

In our letter inviting you to this meeting, we stated that our objectives are “to discuss a sustainable cessation of hostilities; the demilitarization of Sarajevo; an agreement on a pull-back from the military front-line in a way which reinforces and goes with the grain of an overall political settlement; ensuring free access of all citizens in and out of besieged cities and towns; and the free movement of humanitarian aid”.

In this regard, let us remind you of the following points:

- The drafting of a new constitution for Bosnia-Herzegovina is vital for the future of the country. The re-establishment of peace, assured respect for human and minority rights, and the future institutional structure of the country depend upon it. Within the Working Group on Bosnia-Herzegovina, chaired by Mr Ahtisaari, you have had extensive opportunities to offer suggestions on the constitutional principles and structures that should underlie future institutional arrangements in Bosnia-Herzegovina. Out of this process, ten principles have been distilled concerning the constitutional framework for Bosnia-Herzegovina. They will be circulated to you later. Our task in these meetings will be to confirm these

principles and to convert these principles as rapidly as possible into the full text of a constitution.

- You have had opportunities to offer your views, and to provide corresponding maps, on the delimitation of provinces. Discussions on maps have been taking place at the highest levels in recent days. In the light of those discussions, and in response to your wishes, we will be circulating to you a map indicating a proposed delimitation of the provinces. A crucial task of our meetings is to finalize such a map.
- Within the Mixed Military Working Group, which has been meeting in Sarajevo since October, various measures have been discussed with regard to the implementation of the cease-fire accord of November 12, and related humanitarian issues. Our task at these meetings will be to reach specific agreements for the observance of the cessation of hostilities, for monitoring it, and on measures that can help relieve the plight of civilians. The designation of Sarajevo as an open city is one of the important ideas that have been suggested and we hope that the highest priority will be given to it.

Let us now turn to the organization of our work. We shall, first, give the floor to the heads of the three Bosnia-Herzegovina sides followed by the heads of the other two delegations.

After these statements, two Working Groups will commence their work. Mr Ahtisaari will chair Working Group I. It will meet in Room VIII. General Nambiar will chair Working Group II. It will meet in Room IX.

At the opening of Working Group I, the Chair will describe the map circulated on the proposed delimitation of provinces and will explain the ten proposed constitutional principles. The Chair will then lead the discussions towards the finalization of the map and the constitutional principles, as well as the establishment of a mechanism for preparing a full constitution.

At the opening of Working Group II, the Chair will invite discussions on: measures for the designation of Sarajevo as an open city – on which you will be hearing shortly from Lord Owen; measures for the implementation of the cessation of hostilities, for relieving the plight of civilians and for stabilizing the situation in Sarajevo and other parts of Bosnia-Herzegovina.

The two Working Groups will meet in parallel sessions this afternoon, on Sunday and on Monday. On Monday at 8.00 p.m. we shall reconvene in plenary session in this room to consider the recommendations of the two Working Groups, which shall be presented by their Chairmen. We shall continue in plenary session on the morning of Tuesday, January 5, when, we hope that progress will be reached on the issues mentioned earlier.

Finally, on humanitarian matters, we appeal to you to do everything possible to facilitate access of UNHCR and other humanitarian organizations to civilians in need. We also appeal to you to increase your efforts in order to ensure security for humanitarian convoys and relief staff. Their security, and the need to respect their humanitarian mission, is a major concern of the international community. We also invite you to give particular attention to ensuring that humanitarian relief reaches, and is used for the benefit of, those for whom it is intended.

Thank you.

2.

International Conference on the Former Yugoslavia Opening Statement by Lord Owen to ICFY Peace Talks in Geneva, 2 January 1993

We thought it would be helpful in this plenary session if we outlined how we saw the two Working Groups proceeding. Their work is inter-related, but there is a lot of detailed work which has to take place on which progress can be made independently. The Co-Chairmen intend to move between the two Working Groups and will in this way hope to minimise any problems of overlap.

As to the maps which you should now all have in front of you there are 10 suggested provinces. We have sought to arbitrate on many conflicting claims and we have been very conscious of the need to follow the criteria that we established on 27 October. "Boundaries of provinces to be drawn so as to constitute areas as geographically coherent as possible, taking into account ethnic, geographical (i.e. natural features, such as rivers), historical, communication (i.e. the existing road and railroad networks), economic viability, and other relevant factors." We have had to choose between conflicting claims and we cannot stress enough how vital it is that everyone accepts that there cannot be agreement without compromise, sometimes painful compromise.

In connection with the attached map it is proposed that a number of "Throughways" be established, as to which the parties agree and will guarantee full freedom of movement and as to which UNPROFOR or another appropriate international force will, until the Constitution enters into force and for a period thereafter:

1. Patrol these roads in order to ensure that the free flow of traffic is not obstructed by any provincial or other authorities:

2. Control the crossings of these roads from one province into another, to ensure that military forces or specified war material do not move through such crossings.

These provisions must be understood in the context of the proposed constitutional principle that “full freedom of movement shall be allowed throughout Bosnia and Herzegovina”.

We are proposing the following “Throughways”:

1. On the road from Banja Luka to Bijeljina as it passes through Province 3, which we understand might be called Posavina Province.
2. On the road from Bilhac to Livno as it passes through Province 2, which we understand might be called Banja Luka Province.
3. On the road from Ljubinje to the port of Neum as it passes through Province 8, which we understand might be called Mostar Province.
4. On the road from Sekovici to Han Pijesak as it passes through Province 5, which we understand might be called Tuzla Province.
5. If the road from Pale to Jahorina is extended so as to cross the road from Trnovo to Foca and to proceed to Kalinovik, it is envisaged that a “Throughway would be established, or a land corridor negotiated, where it proceeds through Province 7, Sarajevo Province. A “Throughway” would also be established for the Trnovo to Foca road through Province 6, which we understand might be called East Herzegovina Province.

We envisage all the provinces except Sarajevo as having separate legislatures elected by normal democratic methods. In Sarajevo, the capital city, we believe that there would be considerable merit to underline its position as an “Open City” if the three major “ethnic” groups as the constituent units of the state were represented in the

government of the province in the same way that we have proposed they should be represented in the Presidency of the country. The boundaries of Sarajevo Province, that we propose would be the existing boundary, less the opstina of Pale but with the addition of Kresevo, part of Kiseljak and Visoko.

We believe that Sarajevo should be demilitarised at the earliest possible date, and we hope that the detailed discussions that have already taken place in the Mixed Military Working Group can now be brought to the point of agreement. The area of separation in the western and southern districts of Sarajevo provides for the withdrawal of heavy weapons and is linked to an absolute ceasefire, cessation of hostilities, freedom of movement for all civilians and the restoration of public utilities. Three free passage routes (Blue Routes) have been proposed with mutually agreed measures to guarantee and ensure the safe passage and free movement of civilians and humanitarian aid to and from Sarajevo. These routes would effectively lift the blockade of the city and establish free movement between Sarajevo and Zenica, Mostar and Zvornik.

After the cessation of hostilities the concept of Blue Routes for crossing existing confrontation lines will have to be extended to cover the whole country until free passage on all roads is established. Also there will be an urgent need for action to restore public utilities. Maintenance of the peace will in part depend on preventing the further introduction of military personnel, heavy weapons and ammunition for such weapons. Under Security Council Resolution 787 the deployment of UN observers to border crossing points has been authorised, and it will be necessary for them to observe, search and report on cargos transiting the borders. The responsibility for preventing the movement of any such personnel and weaponry will lie with legal authorities in Croatia and in the FRY (Serbia and Montenegro). While it will not be possible to deploy the full resources required for such a task immediately, priority will be accorded to deploying available observers to major crossing points.

Separation of the armed forces throughout Bosnia-Herzegovina will have to be negotiated in the light of the boundaries of the new provinces. It is envisaged that there will be no military forces in Sarajevo Province. Bosnian-Serb forces might withdraw to provinces 2, 4 and 6. 'Bosnian-Croat forces could be deployed in

province 3, and the remaining forces would hopefully reach agreement as to their deployment in provinces 1, 5, 8, 9 and 10. Under our constitutional principles (number 8) Bosnia-Herzegovina is to be progressively demilitarised.

Sadly, some of the boundaries of provinces will inevitably be treated as a front-line with roadblocks and other manifestation of confrontation, but as confidence in the cessation of hostilities grows it would be hoped that the barriers will soon come down. Confidence building measures will have to be developed along with the corralling, UN supervision and the eventual dismantling of much of the heavy weaponry.

This is a comprehensive agenda that faces us over the next few days but we hope that we will nevertheless be able to settle on a Heads of Agreement before we recess.

The ban on military flights over Bosnia-Herzegovina would continue with only Casevac and Medevac flights allowed and all combat aircraft grounded. But it would be hoped that UNHCR and UNPROFOR flights to Sarajevo will be extended to Cazin, Banja Luka and Tuzla airports and communications flights for government officials will be authorised.

Interim measures for the government of the provinces, the government of the country and the establishment of the Presidency will have to be agreed.

Once the new Constitution is agreed and a stable pace and normal civil life has been established, UN/EC supervised elections will be instituted.

3.

**Report from Cy Vance to UN Secretary-General on Peace Talks,
2–4 January 1993, for use in briefing the Security Council with
attached Map**

TO: BUTTENHEIM FOR THE SECRETARY GENERAL
CC: AIME/DE SOTO/PETROVSKY
UNATIONS, NEW YORK
FROM: VANCE, ICFY, GENEVA
SUBJECT: REPORT ON GENEVA PEACE TALKS, 2-4 JANUARY 1993

Attached is a report on the above talks prepared for you and for you to brief the Security Council.

The peace talks will recess for the Orthodox Christmas and will resume in Geneva on Sunday, 10 January, at 11.00 a.m. It would be extremely useful if the attached report could be published in the Security Council as soon as possible so as to help build up momentum in favour of the documents placed before the parties for their signature.

I am off tomorrow afternoon to Belgrade for talks with Milosovic. Both Cosic and Tudjman encouraged this trip.

On the whole, I am quite pleased with our meetings. David and I just finished a post-plenary press conference that went well.

I will talk to Badinter tomorrow morning and Gligorov on Thursday.

Warmest best wishes. Yours ever.

Cy Vance

DRAFT: 4 January 1993

**Further Report of the Secretary-General
on the Activities of the International Conference on the Former Yugoslavia**

Since my last report was issued, a number of important developments have taken place about which I felt it important to inform the Security Council, immediately.

The Pentagonal Peace Talks: 2–4 January 1993

In view of heightening international concern over the situation in Bosnia and Herzegovina, the Co-Chairmen of the Steering Committee issued invitations to the three sides in Bosnia and Herzegovina to come to Geneva from 2 January onward for talks on the following matters: “to discuss a sustainable cessation of hostilities; the demilitarization of Sarajevo; an agreement on a pull-back from the military front-line in a way which reinforces and goes with the grain of an overall political settlement; ensuring free access of all citizens in and out of besieged cities and towns; and the free movement of humanitarian aid”. The Governments of the Republic of Croatia and the Federal Republic of Yugoslavia were also invited to send representatives to the talks at the level they considered appropriate.

Background

In preparation for these talks the Co-Chairmen of the Steering Committee invited President Tudjman of Croatia and President Izetbegovic of Bosnia and Herzegovina to Geneva for consultations on Sunday, 27 December, and Monday, 28 December 1992. Those consultations concentrated on the provincial structure in Bosnia and Herzegovina, as an intrinsic part of future constitutional arrangements.

Also in preparation for the talks, the Co-Chairmen invited President Cosic of the Federal Republic of Yugoslavia and President Tudjman of the Republic of Croatia for consultations in Geneva on Monday, 28 December.

I considered it crucial that the parties should cooperate with the Co-Chairmen of the Steering Committee. I and the Co-Chairmen of the Steering Committee, Cyrus Vance and Lord Owen, accordingly had talks, individually, on Monday, 28 December, with President Cosic, President Tudjman, and President Izetbegovic. I expressed to each of them my grave concern over developments in Bosnia and Herzegovina and the risks of escalation and expansion of the conflict. I strongly appealed to each of them to help the Co-Chairmen in their search for peaceful solutions.

The Talks

Talks among the three sides to the conflict in Bosnia and Herzegovina were held in Geneva from 2 to 4 January. The delegations were represented at the highest political and military levels. Also present were President Cosic of the Federal Republic of Yugoslavia, with a delegation and President Tudjman of Croatia with a delegation. A list of the participants is set out in Annex I.

This was the first time since the Co-Chairmen began their activities in Geneva on 3 September 1992, that the three sides to the conflict in Bosnia and Herzegovina had sat down together around the table for peace talks.

In their opening address to the talks, on 2 January, the Co-Chairmen, Cyrus Vance and Lord Owen, appealed to the participants that “this is an historic meeting. It is our best chance for peace and we must ensure that it succeeds. From the beginning, we have sought to work together with you in the truest for peace. Now, for the first time, we have the leaders of all delegations assembled here, together with their political and military advisers. You can act decisively to bring an end to the plight of the people of Bosnia-Herzegovina, who have suffered so grievously”. The Co-Chairmen stressed the importance of Sarajevo as an “open city”. The remarks of the Co-Chairmen are annexed (Annexes II and III).

The Co-Chairmen placed before the delegates a draft map on the delimitation of ten provinces in Bosnia and Herzegovina, as well as a set of constitutional principles to

underlie the future constitutional framework of Bosnia and Herzegovina. The Co-Chairmen also circulated a paper showing the numbers and locations of prisoners held by the three sides in Bosnia and Herzegovina and urged their immediate release (Annex IV).

At the opening session of the talks, the leaders of the five delegations all made statements signalling their desire for peace in Bosnia and Herzegovina and promising to cooperate with the Co-Chairmen. Following these opening statements, the talks continued in two working groups. Working Group I, chaired by Mr Martti Ahtisaari, considered the draft map on the provincial structure and the constitutional principles. Working Group II, chaired by UNPROFOR Commander, Lieutenant-General. Satish Nambiar, discussed issues related to observance of a cessation of hostilities.

Activities of Working Group I

Working Group I held meetings on 2, 3 and 4 January. Individual, bilateral and trilateral meetings were also conducted by Mr Ahtisaari. The meetings all proceeded in a serious, in-depth manner, without invective. Mr Ahtisaari and the Co-Chairmen made extensive and determined efforts to bring the parties closer together on the delimitations of provinces and constitutional principles.

In the light of the discussions in the Working Group and of contacts with the delegations, Mr Ahtisaari and the Co-Chairmen drew up and placed before the parties on 4 January a draft Agreement relating to Bosnia and Herzegovina, which is set out in Annex V. It dealt with the delimitation of provinces, a constitutional framework for Bosnia and Herzegovina and cooperation in respect of humanitarian efforts. Attached to it was a map suggesting a future provincial structure for Bosnia and Herzegovina.

Activities of Working Group II.

Working Group II held meetings on 2, 3 and 4 January. The deliberations proceeded in a constructive atmosphere. The Group discussed the following items: principles of

cessation of hostilities; restoration of infrastructure; opening of routes and freedom of movement; separation of forces; demilitarization of Sarajevo.

At the first meeting, on 2 January, the Chairman invited the delegations to make introductory presentations. Subsequently, at the start of the discussion on each item, General Nambiar raised issues on which he invited each delegation to comment in turn. In the light of their reactions, he prepared and submitted to the Working Group, on 4 January, elements of an agreement for peace in Bosnia and Herzegovina that would consist of an introductory part and annexes on the following points:

1. Measures for the achievement of an unconditional cessation of hostilities throughout Bosnia and Herzegovina.
2. Measures for the restoration, ' of infrastructure in Bosnia and Herzegovina.
3. Measures on the opening of routes.
4. Arrangements on the separation of forces.
5. Measures for the demilitarization of Sarajevo.
6. Measures for the monitoring of the borders of Bosnia and Herzegovina.
7. Return of forces to designated provinces.

Following discussions of these elements in the Working Group, General Nambiar produced a revised version of the document which he presented to the plenary session of the peace talks on 4 January. He stated that in his view the document represented a reasonable and constructive approach to dealing with the issues discussed in the Working Group. The Chairman's framework Agreement for peace in Bosnia and Herzegovina is reproduced in Annex VI.

Plenary session on 4 January 1993

At a plenary session of the talks on 4 January, the Co-Chairmen reminded the participants that the success or failure of the talks depended primarily on them. The ultimate choice was theirs – peace or war. The Co-Chairmen explained that they had reached a stage where they believed that they should put to the Parties a comprehensive package that would form the basis for a fair, just and lasting peace. They therefore asked the delegations to sign the documents contained in Annexes V and VI to the present report, which they explained, were inextricably linked. They explained, further, that if, at any time, the three parties proposed agreed changes in either of the two papers or the provincial map, those changes would be incorporated.

The Co-Chairmen expressed the hope that all three parties would sign the two documents. However, if any party wished to think about the issues involved overnight, they would be ready to hold another plenary session on Tuesday, 5 January. Alternatively, if one or more parties wished to take the document back for consultations, a further plenary meeting would be called in Geneva on Sunday, January 10, at 11.00 a.m. after the recess for the Orthodox Christmas.

Some of the parties asked for further discussions on parts of the two documents proposed by the Co-Chairmen, as well as on the map. Accordingly, it was decided that the Conference would recess until Sunday, 10 January, at 11.00 a.m. The Co-Chairmen urged most strongly that there be maximum military restraint in the intervening days. They also urged maximum restraint in the participants' public statements.

Concluding observations

The pentagonal talks represented a historic step forward in the pursuit of peace in Bosnia and Herzegovina. Serious discussions took place on the three critical components for achieving peace in Bosnia and Herzegovina: the constitutional principles; the delimitation of provinces; and arrangements for implementing and

monitoring a cessation of hostilities.

All the delegations participating in the talks pledged their cooperation with the Co-Chairmen in the search for peaceful solutions. The peace process has thus taken on a qualitatively new dimension. Henceforth it should be easier to establish clearly who is cooperating and who is not. I believe that the Security Council should let it be known clearly to all sides in Bosnia and Herzegovina that it is their duty to cooperate with the Co-Chairmen in bringing the conflict in Bosnia and Herzegovina to an end swiftly, and that there would be rewards for cooperation and penalties for obstruction.

4.

**Memo from Cyrus Vance to UN Secretary-General's office, New
York, summarising Peace Talks in Geneva, with draft report for
Secretary-General to submit to the UN Security Council,
12 January 1993**

TO: AIME/DO SOTE/PETROVSKY
FROM: VANCE
DATE: 12 January 1993

The Peace Talks adjourned at 1 p.m. today, Tuesday, January 12. The outcome of the Talks is reflected in the attached document which we have prepared for the information of the Secretary-General in such a form that he can report to the Security Council immediately.

At the adjournment of the Talks, we specifically informed the delegations that we would be reporting to the Co-Chairmen of the International Conference and that we expected that the Security Council would in all likelihood wish to take up the situation urgently.

We would therefore recommend that the attached Draft Report, after clearance by the Secretary-General, be submitted to the Security Council most urgently.

Regards.

12 January 1993

Introduction of Report of the Secretary-General on the Activities of the International Conference on the Former Yugoslavia

Introduction

In my last report on the Peace talks held between 2–4 January (S/25050), I informed the Security Council that the Co-Chairmen of the Steering Committee had recessed the talks until Sunday, 10 January and had urged that there be maximum military and political restraint in the intervening days. I commented that the peace process had taken on a qualitatively new dimension and reiterated my sincere belief that, if the Council decided to adopt a resolution enforcing the ban on non-authorized flights over Bosnia and Herzegovina, it would be helpful if its implementation could take effect after a reasonable period of time.

Unfortunately, as the Security Council already knows, on 8 January 1993, the Deputy Prime Minister of the Republic of Bosnia and Herzegovina, Mr Hakija Turajlic, was killed in Sarajevo while under the protection of UNPROFOR. I immediately issued a statement condemning this reprehensible act which, I emphasised, made it all the more necessary for the parties to cooperate in the Peace talks and to conclude the Agreements placed before them by the Co-Chairmen. I also initiated an investigation of the incident.

On 9 January, the Co-Chairmen also condemned the killing of Mr Turajlic which, they added, underlined the need to end the war in Bosnia and Herzegovina. On the same day the Co-Chairmen wrote to Dr Karadzic expressing their anger at the killing of Mr Turajlic, which they deplored. They further informed Dr Karadzic:

We expect you to take immediate action to identify those responsible for this heinous crime. Swift and sure action must be taken to detain and bring to trial those involved in this incident. In addition, we ask that you and General Mladic

issue unambiguous orders to your forces that this type of conduct will not be condoned.

“The suffering and death and dislocation in Bosnia and Herzegovina have gone on too long and the time has come to end the killing. The peace process must go forward.”

5.

Reuters report from Washington on President Clinton's Administration's attitudes to Bosnia-Herzegovina, 21 January 1993

By Carol Giacomo
Washington, Jan 21, Reuters

“President Bill Clinton’s new administration expressed concerns on Thursday about an international peace proposal for Bosnia and said it planned to examine the tinderbox situation in the Balkans on an ‘urgent basis’.”

State Department spokesman Richard Boucher, asked by new Secretary of State Warren Christopher to remain in his job temporarily, reacted coolly when asked to comment on approval by Bosnian Serb leaders of a UN-brokered Peace Plan.

He stressed that the Bosnian Serbs had approved only one part of a three-part package.

This endorsement is “something that allows them to continue negotiations, and of course we have supported the effort that the United Nations and the European Community, through their negotiators, Cyrus Vance and Lord Owen, have been making to achieve a negotiated settlement,” he said.

Christopher, a lawyer who was sworn in as America’s top diplomat Wednesday, was deputy secretary when Vance was Secretary of State under President Jimmy Carter in 1976–1980.

Boucher acknowledged that Christopher “expressed doubts about whether it (Peace Plan) can realistically be achieved, whether they in fact can find an agreement, find a solution that’s peaceful, that the parties will in fact agree to.”

The new secretary’s concerns “are the obvious ones ... There have been agreements

by the parties in the past to do certain things which they haven't done," he said.

"Clearly it's a difficult process of bringing these parties together since the carnage, the fighting has been so horrible, the depredations that have been visited on people there have been so horrible." He added.

Former Secretary of State Lawrence Eagleburger, who in his last weeks in office accused Serbian leader Slobodan Milosevic and others of being war criminals, was known to oppose the Vance-Owen plan.

He believed it codified "ethnic cleansing" – the Serb practice of violently ridding whole regions of Bosnia of Muslims and Croats.

But Eagleburger did not publicly torpedo the accord in case it was accepted and actually helped to end the civil war.

Boucher declined to say if the Clinton administration also thought the plan codified "ethnic cleansing."

The peace plan, negotiated in Geneva, would dissect Bosnia into 10 largely autonomous, multi-communal provinces under a weak central government of Muslims, Serbs and Croats.

Boucher stressed that the United States and other governments had participated heavily in the discussions that led to the mandates under which Owen and Vance are operating and remained in close touch with the negotiators.

But asked what Washington would do if the accord violated those principles, Boucher called that hypothetical and said: "I don't think it would be appropriate for us to second guess or prejudge what the outcome of their talks would be and when they reach some conclusion, if it's a peaceful settlement, certainly we'd look at that when they reach it."

President Clinton and Christopher have both expressed concerns about the killing in

Bosnia and the possibility it could spill over into Kosovo province and Macedonia.

Boucher said: "They understand, they've made this clear, that there are many difficult decisions that they're going to have to make in this regard. Any they'll be looking at those things on an urgent basis."

Like former President George Bush, Clinton has ruled out using American ground troops in Bosnia but has said there are other options the U.S. can use to stop the conflict, which the State Department said this week "borders on genocide."

Boucher said the new administration was continuing its predecessor's policy of trying to obtain "as soon as possible" U.N. authorisation to enforce a no-fly-zone in Bosnia that continues to be violated by Serbian forces.

Eagleburger last week said the West undercut its threat to enforce the no-fly zone by delaying an authorisation vote.

6.

**COREU Report from Lord Owen on Peace Talks on Bosnia,
29 January 1993**

FM UKMIS GENEVA
TO FCO

29 January 1993

FROM LORD OWEN

PEACE TALKS ON BOSNIA

1. I have asked the Danish Presidency to send out the following COREU.

Quote A plenary session of the Peace Conference on Bosnia and Herzegovina is being called for 10.30am, Saturday 30 January, in Geneva. We will ask at this meeting for all the parties to sign the two papers covering the Cessation of Hostilities and the Nine Constitutional Principles, plus the map. After a week's discussion and clarification, there has been no agreement to make any changes. However, many of the underlying issues are dealt with in the detailed paper, Interim Arrangements for Bosnia and Herzegovina, which is being given to the parties today, a copy of which will follow as soon as it has been finalized by us.

This new paper on the Interim Arrangements will not be for signature on Saturday, but it is intended that it should operate as from the passing of a Security Council Resolution which is also agreed to by all three parties. At that time, it is also intended that the 72 hour clock for the cessation of hostilities will start to tick. Previously, it was envisaged that this clock would start from signatures in Geneva, but it is clear that we need more time to change the Mandate of the UN and plan for the implementation of the cessation of hostilities.

We are not certain as to whether President Izetbegovic or Dr Karadzic will sign up on Saturday: both are eyeing the other to see who might move first. Neither wants to be seen to be the first to break up the Conference or to refuse to sign. We will tell them

today that we will report back after Saturday's meeting to the Secretary General of the UN and to the President of the Council of Ministers.

We also intend to ask the Security Council to endorse our comprehensive settlement plan: hopefully all three parties will have signed up by the time the Security Council comes to vote on a Resolution which we hope will be one of total endorsement, though of course in theory it will be possible for the Council to modify our plan. In the event that one of the parties will not sign, we would hope the Security Council will apply sanctions to ensure that they do sign. In the case of President Izetbegovic it will probably be unnecessary to take sanctions, but there are innumerable pressures which could be brought to bear if the Security Council wishes. In the case of Dr Karadzic it would be best first to ask the Federal Republic of Yugoslavia to apply sanctions to the Bosnian Serbs and, only if they refuse to do so, proceed to isolate the Federal Republic of Yugoslavia along the lines of the package already prepared by the European Community.

The Government of Bosnia and Herzegovina have asked that in addition to guarantees from the Security Council there should be the strongest possible guarantees from Europe to cover the territorial integrity and political stability of the State, bearing in mind that it will be without a national army and demilitarised. I have explained that NATO would have difficulty in making an out-of-area security guarantee, although hopefully NATO will support the UN peacekeeping effort in the same way that it has been planned that NATO would help the UN enforce the No-Fly Zone. I have, however, promised to ask the Council of Foreign Ministers if they would consider giving public assurances to the State of Bosnia and Herzegovina in a way that will give confidence, not just in the peace settlement, but in the years that lie ahead.

Quite apart from any increase that may, or may not, be necessary in UNPROFOR's peacekeeping presence in Bosnia and Herzegovina and in the deployment of EC monitors, there would be a need for more UNMOs to work within an integrated UN Command and I would be grateful if Member States could give the highest priority to identifying such people.

As to the future working of the Steering Committee, it is becoming increasingly

difficult with more Members of the Conference as a whole participating in peacekeeping to keep a restricted Steering Committee. Cyrus Vance and I believe that it is now right for the Steering Committee to include all participating states of the Conference (except those from the Former Yugoslavia,) as we did on 16 December 1992. We have already added Switzerland and Norway to our Membership. In addition, we now recommend that Finland and Iran should become full participating Members. Finland is now participating in the UN peacekeeping force in Macedonia. Iran we have found, both at the Islamic Conference in Jeddah and in Geneva, to be decidedly helpful and we think they would be better fully involved rather than kept outside. Iran has asked formally to be a Member. The Secretary General has been asked and is content for them to be invited, and I would be grateful if this matter could be discussed by the Council at its Monday meeting. Unquote.

CHAPLIN

Remarks by Cyrus Vance at Geneva Plenary Session, 30 January 1993

Since our last plenary session on January 23, we have conducted more than a dozen bilateral and trilateral meetings with the parties. These meetings have been comprehensive and intensive. Let me summarize where we stand.

First, all sides have agreed without condition to the nine Constitutional Principles which are contained in the *Agreement Relating to Bosnia and Herzegovina*.

Second, we have made clear that we would incorporate any changes to the map that all sides could agree upon. In the past seven days, we have spent many hours discussing the provincial boundaries, including the Province of Sarajevo. The fundamental premise of this map is that Bosnia and Herzegovina will remain a sovereign, independent, multi-ethnic state. The map does not accept the results of ethnic cleansing and is designed to reverse it. It strikes a fair balance in the allocation of land, natural and industrial resources.

The lengthy meetings that we have had over the past seven days have reinforced our view that the map submitted by the Co-Chairmen provides a just and equitable solution. We strongly urge approval of this document.

The other document that has been placed before you is the *Agreement for Peace in Bosnia and Herzegovina*, which provides for a cessation of hostilities, the separation and return of forces to designated provinces, the demilitarization of Sarajevo, the restoration of infrastructure and the establishment of Throughways. Our discussions over the past week have served to clarify questions that existed regarding certain provisions contained in this document. The proposed solution for control of heavy weapons has been discussed in detail. The most important element of this document and of our discussions is that all sides have agreed on the principles for the institution, observance and monitoring of a cessation of hostilities.

Several weeks ago, it was suggested to us that we should also address the issue of

interim institutional arrangements in Bosnia and Herzegovina. Progress has been made in this regard. The document entitled “Interim Arrangements for Bosnia and Herzegovina” attempts to define an interim institutional mechanism pending the adoption of a new constitution and the holding of free and fair elections. This document is not part of the package that we are asking you to sign today. We hope, however, that you will promptly convey any further comments so that the document can be finalized as soon as possible.

We are at a crucial juncture. The two agreements before you constitute a just and viable settlement for all sides. We invite you to sign these agreements so that the process of restoring peace to Bosnia and Herzegovina can begin.

Remarks by Lord Owen at Geneva Plenary Session, 30 January 1993

For nearly five months, we have negotiated non-stop from early in the morning until late at night here in Geneva, in Sarajevo, in Zagreb and in Belgrade. All this time a savage war has raged. This war has broken, in my judgement, more of the International Conventions covering the conduct of war starting with the 1907 Hague Conventions than any other war this century.

The grotesque abuses of human rights continue unabated. When we last recessed for twelve days for Dr Karadzic to consult on the nine Constitutional Principles fresh fighting broke out, a particularly ominous feature of which was the conflict between two of the parties who had hitherto been allies. Let no-one believe that there is time to await outside military intervention. Let no-one argue that time is on his side, time to endlessly consult, time to protract the negotiations. This war has got to be brought to an end. Delay means more loss of life, more destruction of property and even more important, reduces the chances of the three peoples living together again as neighbours.

There are no simplicities about this war in Bosnia Herzegovina, some put it all down to aggression from outside the country, some claim it is a civil war. Unfortunately it is a mixture of both with many other ingredients added to further complicate the situation. The war is rooted in the history of the Former Yugoslavia but there is no agreement even on that history.

In this situation it is not surprising that the two biggest parties to the conflict have been unable to make the compromises that are necessary to bring about a cessation of hostilities. Each of you argue that they should control more land, own more factories, operate more mines. You often justify your claims by reference to genocide, one going back to the early 1940's, the other to the present day when their people were killed or displaced.

Yet the truth is that there can be no decentralized government and no provincial boundaries that do not include Muslim, Croat and Serb towns and villages, some of which will have been affected by the horrible practice of ethnic cleansing. It is for this reason that we attach immense importance to the interim arrangements for the protection of human rights, the immediate appointment of four ombudsmen, the fact that all statements or commitments made under duress relinquishing rights to land and property will be null and void and that UNCIVPOL, ECMM or UNPROFOR military personnel will be deployed to any part of any province where human rights have been infringed, and are or are threatened to be infringed again.

Whatever the arguments, however sincerely held are the negotiating positions, there comes a time when discussion has to be brought to a head. We now will take this dispute to the Security Council, in effect the world's parliament, for a final decision to be taken. We, as Co-Chairmen, will recommend to the Security Council that they endorse this comprehensive settlement and if in spite of that one or more parties continue to reject the settlement, then we hope the Security Council will use the necessary powers whether they be political, economic or military to impose this settlement.

There are great dangers for the Security Council in tipping the balance of any war to one side without doing so for the purpose of implementing a comprehensive peace settlement. To tip the balance of a war in a political vacuum runs the real danger of granting to one party a licence to impose their will on the other parties. But now it is our profound belief that we have on the table a viable peace settlement. It is up to the Member States of the United Nations to determine whether they are prepared to implement it.

It is our profound hope that the Security Council will vote on a Resolution endorsing this plan without too many days passing and that before any such vote, all the parties will have agreed to the plan being implemented. If that happens, then 72 hours from midnight New York time – Eastern Standard Time – of the day on which the Security Council endorses the plan, a ceasefire will have to be implemented. Also, under its powers under LXXIII of the Constitution of the Republic of Bosnia Herzegovina, the Presidency will transfer its powers and authority to an Interim Central Government

and ten Interim Provincial Governments will also be established.

We hope that you will come to New York and put your case to the Members of the Security Council both during the consultation process and, if the Council so decides, directly to the Members in the open debate before the passing of any Resolution.

**Report by Lord Owen's Private Secretary of Peace Talks on Bosnia,
30 January 1993**

FM FCO
TO NEW YORK AND WASHINGTON
INFO EC POSTS, CSCE POSTS, ISLAMIC POSTS, MODUK, ACTOR
 CABINET OFFICE

30 JANUARY 1993

From PS/Lord Owen

PEACE TALKS ON BOSNIA: 30 JANUARY

1. The Co-Chairmen's approach at this morning's Plenary session, which lasted about one hour, was to split the "package" down into its three component parts: the Constitutional Principles, the Map and the Agreement on the cessation of hostilities. There was no discussion of the "Interim Arrangements" during the Plenary. Lord Owen's opening statement follows by fax (not to all).
2. All three parties signed the Constitutional principles, Boban and Karadzic signed the agreement on cessation of hostilities. Izetbegovic expressed continuing concern about the provisions for heavy weapons, and said the amendments made to the document by General Nambiar had not been accepted by him. Lord Owen believes that Izetbegovic's doubts can be cleared up by a meeting with Nambiar, which Izetbegovic has agreed to hold.
3. Boban was the only one to sign the map. Izetbegovic said he could not sign because ethnically cleansed areas would still remain under Serb control. Karadzic said he could agree to most of the map but he wanted areas under dispute to be referred to a plebiscite for decision. The Co-Chairmen have made it clear all along that this is totally unacceptable to them and repeated this to Karadzic.

4. The Co-Chairmen will now take the process to the Security Council. The three parties have been encouraged to be in New York for consultations, and it is expected that they will arrive by 3 February. The Co-Chairmen will arrive in New York on 1 February.

5. In the press conference which followed the meeting, Lord Owen expressed his hope that the three parties might still sign up for the full package before any resolution is voted on in the Security Council.

6. Lord Owen will brief the Presidency (Danish) Foreign Minister in Brussels on evening of 31 January.

HURD

Supplementary documents

to

4. Negotiating in and around the Security Council

February–May 1993

1. Lord Owen's personal memo written with quotes from meeting with US Secretary of State Warren Christopher in US Mission, New York, on Monday, 1 February 1993 and dinner with Morley Safer and Mike Wallace of TV program *60 Minutes* on 3 February. Written probably a few days later.
2. Ambassador Okun's handwritten diary entries for same meeting with US Secretary of State, Warren Christopher, 1 February 1993
3. Extract from David Owen's *Balkan Odyssey* detailing the deteriorating situation in Srebrenica in March 1993. P132-136
4. Report of Lord Owen's briefing meeting with EC Ambassadors, Geneva, 20 April 1993
5. Report from Lord Owen to UK Embassy, Washington, on meetings in Zagreb, 21 April 1993
6. Report of Foreign Secretary, Douglas Hurd's telephone conversation with Canadian Foreign Minister, Barbara McDougall, 21 April 1993
7. Text of Lord Owen's personal report to EC Foreign Ministers passed direct to Danish Presidency at Hindsgavl, 24 April 1993
8. Memo from Len Appleyard, FCO Political Director, to Private Secretary to the Foreign Secretary, Douglas Hurd, on telephone conversation with Lord Owen, 27 April 1993
9. Cyrus Vance's statement to the Plenary meeting of the ICFY, Athens, 1 May 1993
10. Lord Owen's statement to the Plenary meeting of the ICFY, Athens, 1 May 1993
11. Maps accompanying agreement of 25 March 1993, New York, and countersigned by all three parties in Athens on 2 May 1993
12. Extract from *Balkan Odyssey*, Athens 1-2 May 1993 pp. 147-149

1.

Lord Owen's personal memo written with quotes from meeting with US Secretary of State Warren Christopher in US Mission, New York, on Monday, 1 February 1993 and dinner with Morley Safer and Mike Wallace of TV program *60 Minutes* on 3 February. Written probably a few days later.

Monday, 1 February, 5 00 pm, Meeting with Secretary General Boutros Boutros-Ghali

Monday, 1 February, 6 00 pm, Meeting at US Mission with Warren Christopher

Quotes from Warren Christopher's statements during meeting

"There is a strong case that this plan, while not perfect, is the best available."

"This meeting has been illuminating for me. We hope the process can be kept going, and we will look for ways to help it."

"I will say we had a good meeting. It explained a lot I hadn't heard before. It was a candid discussion of hard issues. You've impressed us with the urgency. We hope parties will continue to negotiate."

"I want to work with you, to move forward together."

We went back to the UN Plaza and after Cy and others left after a whisky, I turned CNN News on and saw Warren Christopher saying nothing that we agreed. Then Johnny Apple rang from the Stanhope Hotel. Betsy had told him I was in New York and he suggested dinner immediately or breakfast. Despite being tired I thought it better to have dinner so I caught a taxi over. While we were waiting for our meal, Johnny produced a typewritten report of what the New York Times would be carrying

on Christopher's comments on our meeting. Again no words like he had promised and I knew for sure he was going to go on allowing others to trash Cy Vance's reputation – so much for loyalty. Also that my 1977-79 impression of Christopher was correct: he was weak and a trimmer. If we wanted to change his mind we had to fight back very hard. This view of the Clinton Administration was confirmed over dinner on Wednesday night with Jane and Morley, Mike Wallace and wife, James Hogue and someone from the Times whose name escapes me. ALL were unanimous that Johnny's piece published that morning had put Bosnia as the top foreign policy issue and we should keep pressurising the Administration, i.e. give them hell. All of them, as well as Johnny, had been shocked by Eagleburger's press spokesman, acting as caretaker, attacking our proposals in Christopher's name on taking office. A Republican spokesman would never have been dared say this if it had not been agreed beforehand. Johnny had said this should go on the front page as soon as he saw it: Deputy turns on old boss story. When asked about it in Geneva Cy had said that it was the spokesman and it would be corrected, but it never was and I believe this was a powerful factor in building up his anger: "mad as hell", "I'm angry" etc, down to the day before Christopher's statement with still no briefing and we knew their proposal was with the President. He actually said "those bastards down there"; "I've made most of them. How could they behave in this dishonourable way". When Peter Tarnoff complained about my words irritating the President, Cy said "I hear you". No criticism ever. Gay, over dinner on the Saturday at the River Club with Elsie and Fred Eckhard said of Christopher, "I've never trusted him, particularly after what he did to Cy over the Iran raid". Cy had told me in Washington, on his last day in office at the State Department, as he went through the saga that he couldn't understand why Christopher had not rung him in the Bahamas and told him. "Despicable" conduct was his view on the day of announcement, very hurt, acted like a wounded animal.

2.

**Ambassador Okun's handwritten diary entries for same meeting
with US Secretary of State, Warren Christopher, 1 February 1993**

January 31, 1993 (Sunday) Geneva
III Army - Shalynas -
50 Years

8:45 AM - On ICEY

AM - Update on final revision of
 SyG's report to UN Sec.
 w. B. H. & Paul S. & C. R.
 - Update on TP's for CAR
 meeting w. Chair.

noon - Sandwich at desk

1:00 PM - Trip connected hour;
 R0164364
 chairs.

8:00 PM - Dep ICEY

8:30 PM - Dinner: Fred Ecklund & E. M. Mautner
 (Fred's Table)
 - food club

February 1, 1993 (Mon.) Geneva - NYC

8:50 AM - On ICEY: Preparation NYC trip (no joy
 in Mautner as ICEY team departs)

10:10 AM - CER/Boy at ad - say goodbye to
 ICEY staff. All out in confusion & bid
 farewell to CER; many w. tears in eyes.
 CER, thanked, wished them well; says
 he'll see them all again.

11:15 AM - Dep Geneva (Swissair 110)
 - CER/H. Mautner/Paul S. & B. H. E.
 Fred Ecklund/John Becker

- E. note: wrote + rework CER's TP's for
 William Christopher
 - H. Mautner/Geneva Postulate for B. H.
 H. O. par; Mautner's extra (too extensive; too
 extensive; too many id's); also discuss
 experience in Ulaanbaatar, El Salvador, Cambodia.

Good 8:00 PM - JFK: met by UN people

NYC
Mon 2/1/93

3:45 PM - On U.N. (Go to Room 3327)

- Update on 77's & various items

5:00 - 6:00 PM: CAR/DLO - UNISYG R. B. Butler: 6:00 PM
Mr. G. B. Butler: 6:00 PM
Mr. G. B. Butler: 6:00 PM
Mr. G. B. Butler: 6:00 PM

6:05 PM - 7:15 PM. Secretary General's Office
Mr. G. B. Butler: 6:00 PM
Mr. G. B. Butler: 6:00 PM
Mr. G. B. Butler: 6:00 PM

* CAR/DLO/GO/DO/DO/DO

6:15 PM - Devotee Two Year Peace Package
(per Tally Point)

6:20 PM - from 70% to 43%

WE - "I guess that's what people
want about - 43%"

6:30 PM - It's considerably less than they
had pre-war (about pre-war
of the map)

WE - will 3 parts agree?

NYC
Mon 2/1/93

6:00 PM - How to say

WE - And implementability? "We've got to be realistic"

WE - Need to work on it

WE - "The Goetz plan seems to be
failing again"

WE - It can be fixed

WE - How to enforce plan - military?

WE - Outlines Agreement on military
issues. A lot depends on U.N. force.

- U.N. force in Somalia is vital;

- U.N. force in Somalia is vital;

- U.N. force in Somalia is vital;

- U.N. force in Somalia is vital;

- U.N. force in Somalia is vital;

WE - "That's hard for me to accept. They're
disciplined to a degree not of
mules."

Sec Christopher

NYC
Mon 2/1/93

WE - What would troops come from?

DLO - Not Germany, Italians, Turks

CRV - A lot will depend on what USG is prepared to do.

WE - Tell me a Muslim objection?

DLO - Explains: Bickel; Prigodin; Rudo/Cajmice;

WE - When you say you're giving a promise to a group what does that mean?

DLO - Explains

CRV - Outlines plan for Q's + H's paper.

WE - How do I answer Congressional question about why we're pursuing intelligence missions

HSO - Answers.

WE - Understand. But it's on scene.

Sec. Christopher

NYC
Mon 2/1

WE - Explainments involve in UNSC to help the US in money.

DLO - Reason we can't get Muslims on board is that Muslims expect U.S. to help. "Don't use them as a weapon" - don't know how long it will last -

WE - Real danger is PARTITION - maybe we can't get a UN force, but

WE - How realistic of 50,000 & how will we trigger

WE - What more can we do on humanitarian situation?

CRV - Critical element - "terribly, finally important."

WE - How can we have this plan while not perfect, is it available?

DLO - Explain importance -- esp. Green

WE - we could make useful changes.

Sec Christopher

N/C
Mon 1/2/93

WE - "We're inherited an impossible situation"

* - "We have been carrying that thing and we'd look for ways to kill it - how can we get ITC to come to NY?"

DLO - You can do it. Tell him.

You could also make some blip in his lawn.

WE - "How do you implement Constit Principle? on all three have to go together"

CEV - Not nec.

DLO - Hard to stop war w/o doing all.

WE - Do have Chyn's plan to put troops in S. Africa?

DLO - Explains.

Sec Christopher

N/C
Mon 1/1/93

WE - When do you think "Soviet" are?

CEV - "Deeply troubled."

DLO - "Their diplomacy has been good"

- "Don't like No-Fly"

WE - "Twice worth to make P-5" very upset as prospect.

(150) Give his own copies of: a) Redline; b) David ITCY; c) Mendenhall's offer

- Here to do with Cyprus; all kind questions

* - Will tell him we're stand now ideas from you.

CEV - Fine. Time is short, but we've come to a decision. Need to work w. all.

4:15 PM

4:15-8:30 - for Wanda M. CEV/DLO/FE/PS/OC
D. B. B. B.

3.

Extract from David Owen's *Balkan Odyssey* (pp. 132-36) detailing the deteriorating situation in Srebrenica in March 1993

The Srebrenica situation was deteriorating, and I was rung up in the early hours of the morning of 19 March in New York by the French Prime Minister, Bérégovoy, in the midst of their election campaign demanding that I take action. His protest was for the newspapers, but I wrote back to him that morning to tell him the facts about Morillon's activity, which I am sure he already knew. In Geneva, meanwhile, Ambassadors Okun and Ahrens were again trying to negotiate an agreement in Croatia over the implementation of UNSCR 802 and they came to New York to report on their difficulties. From 16 to 25 March we were locked in negotiations with the Bosnian parties, made more difficult by the Bosnian Serbs' conduct around Srebrenica and in eastern Bosnia in general, where they were blocking all convoys and generally behaving in a way which made the Bosnia-Herzegovina government threaten to refuse to negotiate with them. We started with bilaterals between the Bosnian Serbs and Croats and only saw President Izetbegovic on 18 March in his hotel, where discussion focused on the form of an interim government with discussion on 19 March on what ministries an interim central government would need. The Bosnian Serb position was that they could not see the need for an interim President to be head of state, or for a Presidency, or indeed for any form of central government: all they wanted was a central coordinating body. Their position had hardened since the Geneva round of negotiations in January.

On 24 March, after a five-hour session, the Bosnian government and Bosnian Croat sides reached agreement on the interim arrangements after Boban had threatened Izetbegovic with the dissolution of their then military alliance. On 25 March, in a bizarre ceremony in the basement of the UN building, we waited for four hours with Boban, and with Karadzic who was not going to sign, for President Izetbegovic to come in from his hotel. Karadzic was psychoanalysing what he described as Izetbegovic's habitual indecision in Freudian terms as anal fixation. The Bosnian government and the Bosnian Croats eventually signed both the interim arrangements and the provincial map. President Izetbegovic made his signature conditional on a

statement, put out as Annex V to the Report of the Secretary-General, which rendered his signature invalid if the Serbs, described as the aggressor side, did not sign within a reasonable time-frame, or if the international community did not undertake effective measures of implementation and if the aggression continued. The Secretary-General wrote to the Security Council: 'The moment has arrived for the international community to come to grips with the process that has been conducted by the Co-Chairmen and with the results obtained. After seven months of the most intensive negotiations, ten of the required twelve signatures have been obtained. Only one side - the Bosnian Serbs -- now lags behind in signature of the provincial map and the agreement on interim arrangements.' In a ringing endorsement he called for Security Council approval of the whole peace package and, after final agreement, for rapid and robust implementation.

It had taken us two difficult months to obtain the Bosnian government's agreement to the VOPP package and the delay had been very damaging. We now had the hardest task of all still left: to get the Bosnian Serbs to sign. I knew that only Milosevic could deliver the Bosnian Serbs and that he was vulnerable in one area: financial sanctions. The Security Council had to squeeze assets. This time the US were correct, and the UK Treasury position was obtuse. We had to tighten every area of sanctions, for there was much economic intelligence showing that Milosevic was becoming really worried about the Serbian economy.

The Pentagon was estimating that an implementation force of 50,000--70,000 was needed in Bosnia and General Powell was arguing seriously for going in with even larger forces initially to get the situation under control, with a view to winding down after six months. I was now openly calling for the Security Council to back its words with actions and bring a range of pressures to bear on the Bosnian Serbs. Ambassador Bartholomew, who had been helpful in nursing the Bosnia-Herzegovina government over the final hurdle, was now looking for every means of pressure to be exerted on the Serbs. Vitaly Churkin had tried with Karadzic, but had not made much headway. Jovanovic had been of no use whatsoever. I argued that sanctions should be tough on the FRY and that we should enforce the NFZ and try again to put UNMOs on the Bosnia-Herzegovina borders. There was a cockiness about the Bosnian Serb leaders that had to be knocked out of them. General Morillon had gone to see Milosevic in the

hope that he might make Mladic see sense and order a ceasefire around Srebrenica, but to little effect. There then followed an intensive period of diplomatic activity from 26 March to 16 April 1993.

On 16 April I spoke on the telephone to President Milosevic about my anxiety that, despite repeated assurances from Dr Karadzic that he had no intention of taking Srebrenica, the Bosnian Serb army was now proceeding to do just that. The pocket was greatly reduced in size. I had rarely heard Milosevic so exasperated, but also so worried: he feared that if the Bosnian Serb armies entered Srebrenica there would be a bloodbath because of the tremendous bad blood that existed between the two armies. The Bosnian Serbs held the young Muslim commander in Srebrenica, Naser Oric, responsible for a massacre near Bratunac in December 1992 in which many Serb civilians had been killed. Milosevic believed it would be a great mistake for the Bosnian Serbs to take Srebrenica and promised to tell Karadzic so. He did not think we would be able to get Canadian troops into Srebrenica for some time but thought we might be able to negotiate UN monitors. I agreed to meet Milosevic in Belgrade for lunch on Wednesday 21 April. Churkin, who was in Belgrade, was also arguing against taking Srebrenica and was getting into some useful exchanges about the map. He believed that if some changes, in his view more symbolic than substantive, could be accommodated the Serbs would sign the interim agreement with no more than cosmetic changes.

In Belgrade my February interview in *Foreign Affairs*, which I had undertaken before the New York negotiations, but in which I had predicted that the Serbs would not sign, was being interpreted as indicating that the move to New York was deliberately manufactured to secure a Muslim signature on the map, isolate the Serbs and thus justify the introduction of tougher sanctions.

The Security Council fatefully decided to demand that Srebrenica and its surroundings be treated as a safe area to be free from armed attack, while neither demilitarizing or demarcating the boundaries of the area. It also, more helpfully, decided to bring forward the draft Resolution on sanctions. John Major, along with other leaders, had written to Boris Yeltsin to say that the Srebrenica situation demanded that they act without delay in the UN over sanctions and that Kozyrev's

earlier agreement with Douglas Hurd in Tokyo to delay the Resolution could no longer apply. Cy Vance came back from holiday for the Security Council debate but I decided to stay in London. I sent a cable to the British Embassy in Moscow asking them to tell the Russians we had no intention of meeting with Karadzic soon unless he came up with some serious proposals. It read: 'The Co-Chairmen intend to take a very firm line with Karadzic. He must get used to the idea that the negotiations cannot continue to be dragged out. It is not a never-ending process. They do not want to offer him the chance to use negotiations as a cover while he continues his utterly despicable conduct *vis-à-vis* Srebrenica.' They could tell Churkin in confidence that I had asked Milosevic to arrange for me to meet with General Mladic and that I thought there was room for flexibility on the deployment of UN troops along the northern corridor. 'It is unlikely to be possible to have just Russian troops. It could perhaps be Russians backed up by Canadians, Americans or other serious troops. As regards the suggested map changes, if these were all that Karadzic was after they would offer the basis for serious talks, but all the indications are that they are the tip of an iceberg.'

John Major rang me at home prior to his speaking to President Clinton and we talked about how to put maximum pressure on the Serbs to halt their attack on Srebrenica and about UNSCR 819, which made Srebrenica the first UN protected 'safe area'. We also discussed the planned financial sanctions, and how to tighten up on breaches of sanctions by land, sea and river, a point which I had been pushing for some time. The UN financial sanctions Resolution had gone through in New York late that Saturday night and I heard about it driving into the BBC studios for a David Frost interview on breakfast television on Sunday 18 April. The French had been adamant that there had to be a vote that day, whereas the US and UK had been ready to give Moscow another day. The UN Commanders, Wahlgren and Morillon, having just negotiated a ceasefire agreement, were afraid that if sanctions were adopted that night the Serbs would cease to cooperate. The Russian Ambassador consulted Moscow and eventually got Yeltsin's agreement to abstain on the vote; so UNSCR 820 was then adopted just before midnight on Saturday, with thirteen votes in favour and Russia and China abstaining.

4.

Report of Lord Owen's briefing meeting with EC Ambassadors, Geneva, 20 April 1993

FM UKMIS GENEVA
TO FCO

20 April 1993

ICFY: OWEN BRIEFING, 20 APRIL

Summary

1. Gloomy Owen briefing on eve of visit to Yugoslavia/Greece. Objectives: further attempt to persuade Milosevic to help get Bosnian Serb signature on Vance/Owen plan: stop Muslim/Croat fighting in Bosnia and seek solution to Macedonia/Greece issue.
2. Arguments against lifting of arms embargo and in favour of at least preserving the option of limited military intervention again spelled out.
3. Criticism of UNHCR for unbalanced anti-Serb statements to media.
4. Stoltenberg to New York on 2 May for meetings with Vance and Secretary General. Will start work in Geneva 10 May.

Detail

5. Lord Owen briefed EC Ambassadors on 20 April on the eve of his visit to former Yugoslavia and Greece.

6. After a brief resume of the ten weeks of negotiations in New York Owen described his travel plans for 21–26 April, as in our telno 296 (not to all). His objective in Zagreb would be to try to bring to an end the very serious fighting in Central Bosnia between Muslim and Croat forces, which was of benefit only to the Serbs. In Skopje and Athens he hoped to be able to present a draft agreement to solve the Macedonia problem: this had dragged on for far too long. A solution would not be easy but was urgently required for the sake of relations within the EC and stability in the Balkans. In Belgrade he would make another attempt to persuade Milosevic to get the Bosnian Serbs to sign up to the Vance/Owen plan: the chances of success were frankly slim. He would also go to Podgorica to see Bulatovic: it was important to continue to pay attention to Montenegro, whose interests were being increasingly ignored by Milosevic.

7. Owen emphasised that he had deliberately made no plans to see Karadzic. If he came up with serious proposals, he would agree to a meeting. But, despite repeated optimistic predictions by Churkin, he did not expect this.

Arms Embargo

8. Owen said that the Co-Chairmen's view remained that lifting the arms embargo on the Bosnian Muslims would be a very serious error: even more serious than premature recognition of Bosnia Herzegovina had been. He recognised the temptation for Governments seeking an easy way out of the dilemma of how to help Muslims at minimum cost to themselves. But the result would be simply to put more sophisticated weapons into the hands of the Serbs, the withdrawal of UNPROFOR and the end of the humanitarian aid effort.

9. Meanwhile we should beware of the media's simplistic presentation of events in Srebrenica: the Muslims had a clear interest in whipping up emotions in the hope of getting the arms embargo lifted. As ever in former Yugoslavia, the issue was highly complex. During his trip he would do what he could to help over Srebrenica but he would not allow the issue to dominate his meetings.

Military Intervention

10. Owen said that getting the sanctions resolution through had been an important step. EC performance in the security council had been very impressive. It had been necessary to gamble on the Russians not vetoing: he believed they had abstained largely out of anger at the deception of the Bosnian Serbs.

11. Nevertheless, implementation of sanctions would be immensely difficult. The present system was full of loopholes: getting the SAMS to work round the clock would be a start. He stuck to the view that something more than sanctions would be needed to get the Serbs to see sense. This would have to be with security council endorsement and therefore Russian acquiescence. Probably the most they would be able to live with was air strikes to cut off those military supplies which would escape sanctions. He did not buy the military argument that air strikes would have no value without ground troops being used as well. The purpose would be systematic and prolonged interdiction of supply routes, to help tilt the balance in favour of those who had accepted the Peace Plan. He recognised that the consequences would probably include putting UNPROFOR back into barracks or withdrawing them altogether and hence ending the humanitarian aid effort. But this would be no different from lifting the arms embargo. It was however absolutely certain that the Serbs would never be persuaded to sign up to VOPP if the international community ruled out any sort of military intervention.

UNHCR

12. In response to a question about Mrs Ogata's call for further safe areas, Owen said that he thought UNHCR should stick to their job of getting food supplies through. They should also spend less time parading their anger about what the Bosnian Serbs were doing in front of the cameras. It was not their job to get involved in the political negotiations: they should remain entirely objective.

Stoltenberg

13. Owen said that Stoltenberg would arrive in New York on 2 May for meetings with Vance and the Secretary General. He would then return to Oslo and meet Owen in London on 9 May before starting work in Geneva the following day. He would be permanently based in Geneva as long as the centre of ICFY activity remained here. If, against the odds, all parties signed up to VOPP, it would make sense for him to become the UN special representative, based in the region, perhaps Zagreb.

Briefing of EC Foreign Ministers

14. Owen said that he would report to EC Foreign Ministers on 23 April in time for the Gymnich meeting. The EC had held steady under considerable pressure: it was important to keep it that way. He also welcomed the greater readiness of EC leaders to refer in public to carrots for Serb cooperation.

MORLAND

5.

Report from Lord Owen to UK Embassy, Washington, on meetings in Zagreb, 21 April 1993

FROM LORD OWEN

VISIT OF LORD OWEN TO FORMER YUGOSLAVIA: 21 APRIL

1. Vance is meeting Franjo Tudjman with Bartholomew in Washington, though we are not sure at what time. I would be grateful if everything possible could be done to get this message to Vance before that meeting.

2. We met Susak for an hour and a half at Zagreb Airport this morning. In a controlled way he was deeply angry about the Muslim behaviour in Bosnia and Hercegovina. At one stage he cited as an example of how bad things have become in Eastern Hercegovina that two Croatian villages had put themselves in the hands of the 'Chetniks' rather than risk coming under Muslim control. There is no doubt that this disarray will make the Bosnian Serbs even more confident. There is no sign of any basic agreement on joint command and control procedures being reached if they are left to their own devices.

3. On Thursday morning, Jeremy Brade, John Wilson and Graham Messervy-Whiting will return to Zagreb and after briefing from UNPROFOR will go into Bosnia to hold direct talks with Army Commanders on both sides to see if we can come up with some fresh ideas before the Saturday meeting. We must reach an agreement by the weekend, otherwise the Croat forces in Zenica which are holding back the Serbs will be withdrawn back to Travnik province, and Susak was not bluffing. We are demanding that Halilovic and Petkovic attend the meeting on Saturday. Jeremy Brade will also tell Izetbegovic that he may need to come to Zagreb on Saturday morning or even Friday to discuss any elaboration or modification to our Peace Plan.

4. This telegram is sent before meeting Cosic or Milosevic, but I heard last night

from Stojanovic that although tough messages were being put out publicly, Cosic, Milosevic and Bulatovic were all interested in putting the rhetoric aside and having serious discussion on our plan. Apparently Karadzic is in the wings, waiting to meet me. I am determined not to be rushed into a meeting with Karadzic. I want to be certain that he comes to the meeting after he has had a firm steer from Milosevic. Also, if we start talking seriously I will want some assurance that the joint meeting between the Republika Srpska and the RSK Parliament is not held over our heads.

5. The main substance of my meeting with Susak related to the Throughway concepts and the international access authority (IAA). Specifically I would like you to put to Tudjman the following suggestions. That in addition to the UN Throughway from Derventa to Brcko, with 5km demilitarisation on either side, we should take the concept into both Croatia and Serbia, in particular from Banja Luka to the Belgrade-Zagreb Autoput, and from Tuzla to the Autoput. The IAA would have authority over the Autoput at least from the Banja Luka exit to Belgrade, so both Serbian and Croatian sovereignty would be involved. It might well be sensible to take the whole Autoput to Zagreb, but that is not essential. The IAA would also be responsible for railway lines from Bosnia Hercegovina (i.e. Bijeljina) and the new line extended from Zvornik, both linked to Belgrade and in Croatia through Knin to split.

6. I realise this will present problems for Tudjman, but this is the time for imagination, and setting the through way concept in a truly international context might be very attractive to the Serbs and also do a great deal to cement Belgrade Zagreb relations. Obviously, the level of representation on the IAA board from Serbia and Croatia would have to be much greater than we originally envisaged when their presence was more nominal.

7. I also mentioned Prevlaka. Again I stressed that keeping this in reserve for some future date was no longer sensible. We would have to get Serbian agreement to return the Western UNPA soon to Croatia and some idea of the overall timing of UNPROFOR's continued presence in the Krajina and Eastern sectors. But if we were to be close to a breakthrough, then I believe Tudjman should consider putting this in to the pot, but only at a direct meeting with Milosevic, on Sunday perhaps, if everything went beyond our wildest dreams. I do not need any decision on Prevlaka at

this stage, but an indication from Tudjman that he would be ready to talk seriously about the sort of IAA that I have outlined would be of immense help, and the sooner the better. I will explore it with Milosevic on the basis that I have not yet been able to put the idea to Tudjman.

6.

Report of Foreign Secretary, Douglas Hurd's telephone conversation with Canadian Foreign Minister, Barbara McDougall, 21 April 1993

FM FCO

TO OTTAWA

21 April 1993

BOSNIA: FOREIGN SECRETARY'S TELEPHONE CONVERSATION WITH
CANADIAN FOREIGN MINISTER, 21 APRIL

Summary

1. Mrs McDougall remains opposed to lifting arms embargo, with slight preference for direct action, such as air strikes. Not keen on breaking diplomatic links with Belgrade, but some inclination to do this at the same time as reinforcing sanctions. Presses for reinforcement of Canadian contingent in Srebrenica. Foreign Secretary agrees to look into this latter point (although our own troops were fully committed) and to keep Mrs McDougall abreast of EC thinking on diplomatic isolation.

Detail

2. The Foreign Secretary spoke on the telephone to Mrs McDougall (in Ankara), at her request, on 21 April. Mrs McDougall asked whether the British and American positions on Bosnia were getting any closer together.

3. The Foreign Secretary said that internal consideration was still going on in Washington, and it was not clear where the administration would come out.

We thought the best way of exerting pressure was through making sanctions more effective. There were difficulties about both lifting the arms embargo and air strikes,

and no-one was suggesting intervention with ground troops.

4. Mrs McDougall said that her sense was that the US administration was coming under political pressure to go for air strikes but the US military advice remained unenthusiastic. The Canadian Government remained firmly opposed to lifting the arms embargo. It would be better to act ourselves (and Canada would be prepared to contribute modestly), than to leave the parties to fight it out. The Canadians had fed in these views to Washington, but were saying little publicly.

5. Mrs McDougall asked whether it might not make more sense to proceed to diplomatic isolation of Serbia at the same time as tightening sanctions. The Foreign Secretary said that removal of diplomatic missions was not a major card, although the Germans were keen on taking this step, which would be discussed at the EC informal this weekend. Mrs McDougall said that Canada was normally one of the last to withdraw its diplomats. But there was not much to be gained by delaying. The Foreign Secretary said that we would get in touch with Mrs McDougall at the weekend, if it appeared that the community was about to make a move on this (or indeed if there were other developments of interest).

6. Mrs McDougall also made a pitch for reinforcement of Canadian troops in Srebrenica along the lines of the Canadian aide memoire (copy by fax) delivered by the Canadian High Commission earlier in the day. The Canadian troops were doing a difficult and important job. They could deal with the immediate humanitarian requirement. But they did not have the resources to deal with demilitarisation, nor to handle any breakdown in ceasefire. The Canadians had put these points to UNPROFOR, whose response had been that they could not make any changes. Mrs McDougall therefore sought our support for the Security Council considering the need for extra resources. Mrs McDougall said she understood the decision to disarm the Muslims had been taken in the field, and she believed there was some unease in the Security Council about it. She wanted to make sure that the Canadian troops were adequately prepared.

7. The Foreign Secretary praised the role of the Canadian troops. He said that reinforcement was a matter for UNPROFOR to decide. Our own troops were

preoccupied with fighting in central Bosnia. But he sympathised with Mrs McDougall's concerns, and would look into what could be done.

8. The Foreign Secretary also pointed out that the renewed fighting between Croats and Muslims in central Bosnia placed calls for lifting the arms embargo in a new light. Mrs McDougall agreed: it also had implications for air strikes.

HURD

7.

Text of Lord Owen's personal report to EC Foreign Ministers passed direct to Danish Presidency at Hindsgavl, 24 April 1993

FM BELGRADE

TO FCO

24 April 1993

VISIT OF LORD OWEN TO THE FORMER YUGOSLAVIA: REPORT FOR
INFORMAL FOREIGN MINISTERS' MEETING

1. Following is text of Lord Owen's personal report to EC Foreign Ministers, passed direct to Danish Presidency at Hindsgavl on 24 April.

2. Text begins:

Personal from Lord Owen to EC Foreign Ministers attending informal meeting at Hindsgavl Castle.

Situation in the Former Yugoslavia

1. With world attention focused on the situation in Bosnia, and indeed in particular on Srebrenica, there is a risk of failing to give enough attention to Croatia and the broader picture. There are a number of particularly dangerous situations developing in Croatia, and the extent to which Bosnia and Croatia are interrelated becomes ever clearer. Nevertheless, our immediate strategy must be to contain the conflict to Bosnia and Hercegovina, and at the lowest possible level of violence with the highest possible level of humanitarian relief.

Croatia

2. The outlook for a peaceful settlement between the Croatian Government and the Krajina Serbs does not look hopeful at the moment, and there is a real danger of major hostilities breaking out again between the Serbs and the Croats, with or without the involvement of the Yugoslav Army (JA). The Krajina Serbs have rejected the Sovereignty provisions of UNSCR 815, and the indications are that they would like not to endorse the conditional agreement implementing UNSCR 802 signed in Geneva on April 6. The establishment of a union between the Republika Srpska Krajina (RSK) and Karadzic's republika SRPSKA (RS) was due to be announced on 23 April. The likelihood is that this was postponed only after Milosevic's intervention following my meeting with him in Belgrade on 21 April.

3. It is becoming ever more clear that solving the situation in Croatia is closely linked to reaching a settlement in Bosnia. Milosevic accepts this and was keen on 21 April to try and have a meeting in Athens on Sunday 25 April with Tudjman, Izetbegovic and Boban. Milosevic also suggested that the Croatian Serb Leader Bjegovic, should also attend, possibly with Hadzic. Milosevic warned Prime Minister Mitsotakis of this possibility and Mitsotakis confirmed his readiness to host it at less than 24 hours notice. Susak has said that Tudjman would in principle attend. I cannot make a judgment on such a meeting until I have seen Izetbegovic on Saturday afternoon.

4. The danger is that if there are no prospects of agreement with the Krajina Serbs, the Croatians, frustrated by the lack of progress, may try to force the pace and take military action.

5. The results of such a policy could be disastrous, as it would definitely involve a Bosnian Serb reaction and quite possibly a Belgrade Serb reaction in the Eastern sector. It is vital that Tudjman realises this. Tudjman should be constantly and forcefully reminded of this, and Vance did so in Washington on 21 April. The international community has helped Tudjman further his aims, both by including the recognition of Croatia's existing borders in SCR 815, and by the mild slap on the wrist Croatia received for its attack on Maslenica, which did cost the lives of UNPROFOR troops. It is in Tudjman's interests not to lose the international support

which he has, and he needs to be made well aware of the dangers of acting rashly, even in response to outright Serb provocation.

6. Precipitate Croatian military activity would undoubtedly meet with significant opposition from the well-armed local Serbs who have managed to successfully contain the 3 Croatian attacks so far this year. Unification of the Republika Srpska Krajina and Republika Srpska could provide the Serbs with the necessary spur to undertake united offensive actions. They may well be tempted to use any further Croatian offensive(s) as a pretext to go all out for their acknowledged objectives of capturing Osijek (probably their highest priority) and then Karlovac, and perhaps later driving a route to the sea around Zadar and/or the Boka Kotorska area. They may feel that they have nothing to lose.

7. There is also an added risk that the JA may get involved openly, particularly if the Croatians threatened Eastern Slavonia. Although it is not certain that Belgrade is yet ready for such involvement, it could, however, get carried along on the tide. When challenged about recent JA involvement in Eastern Bosnia, Cosic, Milosevic and Bulatovic denied it, but they knew that I knew that they were involved.

8. All these factors have grave implications for the presence of UNPROFOR in Croatia. If there is no negotiated settlement between the Serbs and Croats it is unlikely that an acceptable mandate can be negotiated for continued UNPROFOR presence. In these circumstances it is likely that there would be increased pressure to withdraw UNPROFOR completely, which could lead to the spreading of the conflict. If the existing mandate remained in force, a number of contributors would probably withdraw their forces. A third possibility would be the reduction of UNPROFOR in Croatia to an observer force, capable of reporting on the situation, but with no wider responsibilities. This would no doubt lead to further criticism of the UN being powerless to intervene and just standing by while military action went ahead unchecked.

Croat-Muslim Tensions

9. The ongoing outbreak of violence in Central Bosnia is an escalated

continuation of tensions that have existed since last October. There was fighting between Muslims and Croats in Vitez in January. The fighting that has erupted again in Central Bosnia is the most widespread conflict to date.

10. The current fighting owes its beginnings to a series of events throughout April. On 8 April Boban made a speech in Travenik and called for more prominent display of the Croat flag. (It is fairly certain that Susak was not there.) This led to shooting and the death of two Muslims the same day. That week the Croat authorities in Mostar gave prominence to their claim that Jablanica is part of Herceg-Bosna. The Muslim President of Jablanica Crisis Committee, Cibo, was arrested by the HVO (and subsequently released after Izetbegovic's intervention). In Prozor the HVO clearly provoked tension by issuing call-up papers to Muslims, who fled and were protected in the hills by outside Muslim forces. The HVO pursued and arrested some Muslims for resisting call-up, although they were already soldiers in the Bosnian Army.

11. It is becoming more apparent that the objectives of both sides are not random. There are clear indications of coordinated action to establish areas of control in Central Bosnia. Locally engineered events and objectives form a pattern. The use of five Muslim brigades against Vitez, and three against Busovaca, indicate careful coordination. The build up of tension by the HVO through disinformation, followed by military action, is well orchestrated.

12. HVO objectives are to link Croat communities across the territory. One objective has been to secure the road Prozor/Fojnica/Kiseljak, clearing Muslim villages along the route. Another objective is to take Jablanica. This battle is expected imminently. Muslim intentions are to break up Croat linkages and exercise control over the HVO, for both local security reasons and to counter the strategic hold that Croats have over access to Tuzla. Informed opinion believes both sides are provoking the fighting, but that the HVO is more aggressive. The timing of the Croat moves, both in January and now, is coincidental with world attention focused on Serb activity elsewhere, which would imply a carefully judged use of this as cover.

13. The objectives, particularly of the Croats, are to secure ethnic cohesion and control of provinces 8 and 10. More local issues which fuel the situation include: the

increasing number of Muslims seeking refuge in these provinces: the unwelcome presence of non-local forces (e.g. displaced from Jajce): strategic concerns over routes: and overlapping command structures of HVO and Bosnian army forces in the same areas. All these make the prospects for joint command and control very slim.

14. On 20 April an agreement was reached between both sides in Zenica, following a meeting requested by the Muslims. Ganic, Halilovic and Siber attended from Sarajevo and the HVO was represented by Petkovic and Blaskic. The key elements of the agreement were:

Recognition of both the Bosnian Army and the HVO as equal and legitimate forces of Bosnia-Hercegovina.

Immediate Ceasefire

Establishment of a joint operational centre in Vitez, evolving into a joint HQ in Kakanj. Daily reporting. Representation at Deputy Commander level, with UNPROFOR and ECMM observers.

Local joint commissions in Mostar and Busovaca.

Weekly meetings at C-in-C level (Halilovic and Petkovic).

15. I am due to meet Izetbegovic and Boban at 1500 hours local in Zagreb on Saturday 24 April to mediate a situation which is assessed as most likely to continue to deteriorate, particularly in the light of the latest confirmed atrocities against Muslims and the build up of an offensive on Jablanica. The killing will be difficult to stop. The confidence-building joint operational centre and joint commissions are unlikely to have a major influence on regional events, but may provide short-term local results. Pressure now for joint command arrangements could be premature. The return of displaced forces to their original locations and intervening between the sides in a peacekeeping role would reduce some tensions, but this is clearly not practical at the moment.

16. The only viable option immediate available appears to be to monitor the actions of known Politico-Military personalities in the area and demand their restraint both directly and indirectly through leaning on their ultimate superiors (Boban and Izetbegovic). In turn, I will encourage them to make unequivocal public statements reiterating the 20 April agreement and emphasising their support for it. Given that both leaders have, in the past, been guilty of not publicly supporting agreements and even denying them, this would be more binding and constructive in the present environment than anything else. I fear the Serbs are enjoying our discomfort at all this disarray, but far from destroying the Vance/Owen Plan, I see it as emphasising the need for a UN peacekeeping force with a strong mandate throughout Bosnia and Hercegovina.

Bosnian Serbs

17. The Bosnian Serb leaders are currently riding high, after a series of military victories. They think the international community is unable to come up with an effective strategy to bring them back into serious negotiations. There remains the risk that Mladic, who appears less and less under control of Karadzic, may try to press ahead with the capture of Zepa and Gorazde, a strategically important transportation hub. There is also the possibility that he will turn his attention to securing the Northern Corridor. Mladic's mood is very confident, and he seems to be ready to disregard political guidance. It may have been only the direct intervention of Milosevic, to whom Mladic seems to show continued loyalty, which stopped him from pressing ahead with the capture of Srebrenica. Mladic's original terms for the surrender of the town were much harsher than those finally agreed – linkage to movement of Serbs from Tuzla, Muslim fighters to be POWs.

18. Karadzic's promises to come up with new proposals have turned out to be reruns of old ideas based on territorial gains they have made, and recognition of the Republika Srpska. The mood at Dahlgren's meeting with the Serb leadership in pale on orthodox Easter Sunday was one of triumphalism. Mladic made it clear that the Republika Srpska would carry on regardless of what the rest of the world thinks, says or does. But I am not sure that he is a lost cause. I had 3 hours with him on Wednesday 21 April, with out UN and British Brigadiers, and the latter spent 5 hours

with Mladic on Thursday and 1.5 hours with General Panic. A lot of this time was spent explaining how a Northern Corridor with a UN Throughway, demilitarised 5km on either side, could guarantee access to Banja Luka province, but there was also considerable discussion of US military technology and their airpower, as demonstrated in Iraq.

19. I think Milosevic is beginning to accept that a territorial corridor for the Serbs is non negotiable, but I will know more when I meet Dr Karadzic on Saturday morning, 24 April, and find out whether he is prepared to buy a UN corridor. I increasingly believe that selling the UN Throughway or corridor from Derventa to Brcko needs to be set in a broader context if the Bosnian Serbs are to be shifted. I would like to expand the concept so that we have the Zagreb-Belgrade output from the Banja Luka exit, which is currently blocked and within a Western and Eastern Uncas, recognised as a Throughway, and eventually coming under the proposed International Access Authority (IAA). The IAA would also be responsible for the railway lines from Bosnia to Belgrade, and from Bosnia, winding in and out of Croatia, from Knin to Split. This regional guaranteed access would need Tudjman's support, and as yet I have not been able to put it to him, though Susak has been briefed. EC support for this idea would be helpful, particularly German backing.

20. There are few signs that the Bosnian Serbs' political leaders are as yet really worried about the tighter sanctions which will come into force on 26 April or even limited international military intervention, and they are likely to continue to play a delaying game. Their rank and file will be influenced by Mladic. If he decides they should not press on with military action in the face of a definite risk of international action, this would be decisive. A big question is how much influence Milosevic has on Mladic these days.

Belgrade Serbs

21. It remains to be seen whether the tougher sanctions envisaged under UNSCR 820 will have the desired effect. It may be that Milosevic, who is more sensitive to the impact of the increased sanctions, particularly their financial aspects, will demand that the Bosnian Serb leadership not just go back to the negotiating table, but sign up. No

doubt you will be considering what options exist for exerting more pressure, beyond attempting to tighten the sanctions even further. I hope that you will consider further toughening the provisions on financial aspects of the sanctions package. Milosevic is acting financially like a drug baron, and we should use the powers we have developed to deal with the offshore funds and third party companies of drug barons.

22. There are three military possibilities suggested for pressurising the Belgrade Serbs:

- Lifting the arms embargo for the Muslims:
- Interdicting by air Bosnian Serb supply lines within Bosnia and Hercegovina:
- And conducting air strikes against Bosnian Serb military targets, particularly heavy weapons.

23. Lifting the arms embargo is presented as giving the Muslims the chance to defend themselves against the more heavily armed and better equipped Serbs. I cannot stress enough to all of you that I believe this would be a profound mistake. I understand the political pressure to do this coming from the United States, but I cannot see how anyone reading my earlier account of Croat-Muslim tensions in Central Bosnia could believe that this option would be anything other than profoundly damaging. But I also believe that far from helping tilt the balance towards the Bosnian Muslims, the almost inevitable supplies of 1990's weapons from the former Soviet Union to the JA is more likely to tilt the balance even further towards the Serbs. It might solve people's consciences for a few weeks, but it could be a fatal step towards a wider Balkan War.

24. But if we do not lift the arms embargo, we have to be ready to take further action within the UN to tilt the military balance against the Serbs. We have done this since October when under President Bush's threat of enforcement I was able to negotiate with Dr Karadzic the ground of all combat aircraft. We have taken a symbolic further step by enforcing the No-Fly Zone. It is a perfectly logical next step to ask the security council, if sanctions fail to dissuade the Belgrade Serbs from

supplying the Bosnian Serb arm, for authorisation to take the necessary measures to interdict the supply lines from the air. Of course this action would not of itself defeat the Bosnian Serbs, but it would tilt the balance in favour of the two armies that have signed up for the Peace Plan. It would be difficult for the Russians to accept such action, but it is far more likely that they would accept this limited peace-keeping action than authorise offensive air to ground attacks on military targets. Any of these military actions would almost certainly lead to the withdrawal of UNPROFOR troops and affect the humanitarian effort, but with the winter over it is easier to give the highest priority to ending the war.

25. My own advice is to do everything to contain the fighting to Bosnia and Hercegovina: and facing down the Bosnian Serbs' direct challenge to the authority of the security council now is, for all its problems, a far better option than trying to halt a Serb-Croat war, or increased Serbian oppression in Kosovo.

David Owen

Text Ends

3. For UKMIS New York: Lord Owen has suggested that text might be passed personal to Vance and Secretary General at Sir D Hannay's discretion.

4. For Washington: Lord Owen has suggested that text might be passed personal to President/Christopher at Sir R Renwick's discretion.

ROBINSON

8.

Memo from Len Appleyard, FCO Political Director, to Private Secretary to the Foreign Secretary, Douglas Hurd, on telephone conversation with Lord Owen, 27 April 1993

FROM: L V Appleyard

DATE: 27 April 1993

Cc: PS/Mr Hogg
PS/PUS
Mr Greenstock
and others

PRIVATE SECRETARY

YUGOSLAVIA: TALK WITH LORD OWEN

1. Lord Owen rang this morning from Northolt on his way to Paris for talks with Juppe.
2. Lord Owen said that most people seemed not to have noticed the most significant development in recent days: the growing cleavage between Milosevic and the Bosnian Serbs (I told him that we were very much aware of it). Lord Owen was convinced that Milosevic had made a decision to bring the conflict to an end in Serbia's own interests, but Karadzic and his allies had ignored him. The decision to go for a referendum had been a last minute panic measure to try to avert an open split between the Assembly and Milosevic. Milosevic's message had been very tough and had been given enormous publicity in Serbia.
3. It was important now to exploit this growing divergence between the interests of Serbia and the Bosnian Serbs. The international community should move quickly to put UNMOs on the border between Bosnia and Serbia. Cosic should be given a deadline to agree to the stationing of UNMOs. If he did not agree, military action should be taken to cut off the supply lines between Serbia and Bosnia.
4. When Warren Christopher came to London he should be told bluntly that no

action should be taken unless the US Administration was prepared to put US troops on the ground in the aid operation. Of the two options, air strikes or lifting the arms embargo, the former was much less bad than the latter. But without some US involvement on the ground the process could get out of control since the Americans would not have the same interests as the Europeans. He would put this point forcefully to Juppe.

5. Kinkel was very keen to reconvene the London Conference in Copenhagen. As usual, the motivation was primarily German domestic: it would enable the Germans to plug into the process without being caught out on military involvement. Lord Owen was content for the Conference to go ahead at Foreign Minister level. Helveg Petersen was keen for the Conference to take place in the next two-three weeks and intended to consult Boutros Ghali. There could be advantages in a Conference since it would bring in the Russians and neighbouring countries. However it would have to include a pledging session on assistance to neighbouring states.

6. Lord Owen returns to London this afternoon. I said that the Secretary of State would like to have a word on the telephone with him if the diaries can be reconciled.

L V Appleyard

9.

**Cyrus Vance's statement to the Plenary meeting of the ICFY,
Athens, May 1 1993**

Your Excellencies:

Thank you all for coming to this meeting. We are deeply grateful to Prime Minister Mitsotakis and to the Greek Government for their generous hospitality and for helping to make this meeting possible.

I do not need to remind you that this is a critically important moment. The time is overdue to act decisively to bring peace to Bosnia-Herzegovina and to begin the reconstruction of the former Yugoslavia.

The Secretary-General reported to the Security Council on April 26 on the preparatory work for the rapid establishment of a robust peace-keeping force to implement the United Nations/.European Community Peace Plan. He also informed the Security Council that he is preparing for the deployment of an international human rights monitoring mission as envisaged under the plan.

What is urgently needed now is to bring the plan into force. To do this, Dr Karadzic needs to sign the remaining two documents of the plan, namely the provisional provincial map and the agreement on interim arrangements.

We have noted the helpful letter from Presidents Cosic, Milosevic, and Bulatovic to the Bosnian Serbs. We have also noted the positive deliberations in the Serbian and the Montenegrin Parliaments.

During his recent mission in the region Lord Owen dealt with a number of questions

you raised with him. He and I consulted closely on the positions he conveyed to you. In light of the answers he gave, we are convinced that there is no reasonable ground for any further delay in completing the signing of the Peace Plan.

I now give the floor to Lord Owen.

10.

Lord Owen's statement to the Plenary meeting of the ICFY, Athens, 1 May 1993

During my recent discussions with all parties in Belgrade and Zagreb, we focused on many aspects of the Peace Plan. I believe it would help all the parties if I were now to repeat some of the points of clarifications that arose during this trip.

The agreement on interim arrangements, Annex I of the Secretary-General's report of the 26 March 1993, document S/25479, is in the view of the Co-Chairmen fully consistent with constitutional principles 4, which has been signed by all parties and says:

“All matters of vital concern to any of the constituent peoples shall be regulated in the Constitution, which as to these points may be amended only by consensus of these constituent peoples; ordinary governmental business is not to be veto-able by any group.”

This is made very clear in Annex I, A. Interim Presidency and Interim Central Government, where paragraph 1 states:

“In the direct aftermath of hostilities, when a consensus amongst the three constituent peoples is the only acceptable basis for reaching any fundamental decisions, the Interim Presidency and Interim Government shall function on a coalition basis.”

In signing this agreement we are asking as Section 1 para 5 of the Secretary-General's report of 26 March S/25479 makes clear that all sides should concentrate on agreeing on specific arrangements for the interim period.

Procedures inside the Interim Presidency

Annex I – Agreement on Interim Arrangements states in paragraph 4:

“The Interim Presidency shall take its decisions by consensus of nine, or by a qualified majority of seven, or by a simple majority of five depending on whether the decision relates to a constitutional principle, to a specially important question, or to normal business of the Presidency. If the members of the interim Presidency are unable to agree on the applicable majority, they will consult the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (the ‘Co-Chairmen’), whose decision shall be binding.”

I was asked if I could indicate in advance whether the Rules of Procedure for operating the Interim Presidency would be a decision taken by consensus of the nine members and my instant response was that it would be, but I checked with Mr Vance

and he agreed without demur that this would be our decision.

Interim President

In discussions over the rotating Interim President, where each of the constituent peoples will hold the Interim Presidency for six months, a fear was expressed that if elections were held after a year, one of the constituent peoples would not be able to hold the position of Interim President. I think it might help to put this issue in perspective if I remind you what was said on 12 March 1993 in the Secretary-General's report, document S/25403, paragraph 20:

“During the period between the entry into force of the peace settlement and the holding of free and fair elections, there is a need for an interim institutional mechanism so that the country can function effectively. The drafting of a new Constitution for the Republic of Bosnia and Herzegovina is expected to take months. Also it is very likely to take more than a year for the many refugees and displaced persons to return to their homes. Nevertheless, free and fair elections must be held within two years; the date will be fixed by the interim Presidency in consultation with the Co-Chairmen.”

It is the view of the Co-Chairmen that elections will not be held for at least 18 months and that therefore all three constituent peoples will have the opportunity to hold the Interim Presidency.

Withdrawal of forces

After consulting the Force Commander, General Wahlgren, it has been explained to all the parties at both the political and military level that, when forces withdraw under the plan to named provinces and towns where they have been protecting villages and towns where their own constituent peoples are in the majority, they will be replaced by UNPROFOR and not by opposing forces. Nevertheless, the administration and in particular the police forces in the areas from which they have withdrawn shall, as stated in section G of annex I to S/25479, “be controlled by the Interim Provincial Governments or local authorities under them, and shall reflect the proportions of the constituent peoples in their respective provinces.” UNCIVPOL's principal task, as is made clear in section H, paragraph 5, “would be to monitor the police of the Provinces so that each: has an appropriately balanced ethnic composition; and does not oppress members of minority ethnic groups”. It is important also to remember that

minorities in any province will have access to the service of their own ombudsmen appointed to cover the whole Bosnia and Herzegovina who shall be supported by adequate staff and facilities at provincial level, particularly in a province where another constituent people is in the majority.

The Provisional Provincial Map

It needs to be stressed that the reason for referring to the boundaries of the provinces as “provisional” is that the final boundaries will be adopted by consensus by the parties for the new Constitution in the framework of the International Conference on the Former Yugoslavia. It will be perfectly possible for the parties in the improved atmosphere associated with the cessation of hostilities and in the spirit of cooperation hopefully built up during the period of interim coalition government to negotiate amongst themselves changes of the provincial boundaries.

In addition, the Conference will have before it recommendation from the Boundary Commission (section B). The Commission shall receive and, if necessary, hear evidence from those people who feel they are adversely affected by the proposed provincial boundaries. The Commission is empowered to consider only marginal changes and its decisions will be adopted by consensus. But it does introduce an important area of flexibility and it will be possible for villages or towns that feel they have been wrongly placed on one side or another of the provisional boundary to have their positions reviewed.

The capital city of Sarajevo will exceptionally have its provisional boundaries specifically referred to the Boundary Commission for review (Section C) and there is no marginal qualification made to the text. In this case “any agreed changes will be introduced prior to implementing the new constitution.”

It is the view of the Co-Chairmen that these arrangements provide for considerable flexibility in the defining of the provincial boundaries; also the Constitution will no doubt provide for a mechanism whereby boundaries could be changed at some future date after adoption of the Constitution by consensus.

Northern Corridor

One of the most controversial issues between the parties has been the concern about free access from Banja Luka Province to Bijeljina Province. The main road through Posavina and Tuzla Province will be a United Nations-throughway controlled not by the provincial police but by UNPROFOR and with an area of 5 kilometres on either side of the road demilitarised under the responsibility of UNPROFOR. A paper describing the detailed arrangements approved by the UNPROFOR Force Commander whereby UNPROFOR propose to control the road has already been circulated to the parties to demonstrate how they will guarantee free passage along the road and is attached to this explanation in annex II. In this regard, it should be noted that ever since 19 February 1993, under Security Council resolution 807 (1993), UNPROFOR has been acting under Chapter VII of the Charter of the United Nations and the Force Commander has given assurances that there will be consultations amongst the parties prior to deploying United Nations forces to control the Northern Corridor. All of these matters will be specifically covered and put for the endorsement of the Council in the resolution on implementation arrangements.

Also, as in relation to the demilitarisation of Sarajevo, (annex V, page 28 of S/25403 of the Agreement for Peace in Bosnia and Herzegovina), a Joint Commission chaired by UNPROFOR will oversee the implementation of the arrangements for the Northern Corridor. This will mean that all three of the parties will be represented on the Commission and can bring before it any alleged violation.

International Access Authority

The Agreement on Interim Arrangements provides in section I for the interim Presidency to establish an International Access Authority in order to implement principle 3 of the Agreed Constitutional Principles and to allow full freedom of movement between and within the Provinces and “also to and from the provinces to the Republic of Croatia and to the Republic of Serbia.” It is intended that the Authority be in operation as soon as possible during the interim period. Following the conclusion of the package, all designate throughways shall come under the responsibility of UNPROFOR, thereafter there will be a period of overlapping

responsibility of UNPROFOR and the Authority, during which UNPROFOR's involvement will be phased out and its responsibilities assumed by traffic police employed by the Authority.

I would draw attention to the fact that other throughways have also provided assurance, particularly that between Gorazde and Cajnice. The Blue Routes are also important, particularly that between Pale and Zvornik.

In Zagreb and Belgrade I had preliminary discussions as to whether or not it would be possible to extend the International Access Authority to related road and railways in Croatia, Serbia and Montenegro. Such a development depends on discussions between their government and is outside the context of the interim agreement and therefore of the Peace Plan.

Nevertheless, the Co-Chairmen hoped that in the margins of this Conference it might be possible to hold some further discussion about this wider concept with the Governments concerned to see if there is a possible basis for agreement.

I hope that with the clarifications it will now be possible for the Bosnian Serb delegation to agree to sign the two outstanding documents, the interim agreement and the provincial map, and thereby ensure with these two additional signatures that we have the 12 signatures necessary for full endorsement of the Peace Plan.

Once the Peace Plan has been agreed in full by all the parties, we as Co-Chairmen shall report to the Secretary-General, who has then been requested by the Security Council to report at the earliest possible date on proposals for the implementation of the Peace Plan. On the passing of a Security Council resolution on implementation, the Peace Plan will start to operate.

In the meantime, we hope all three parties on signature will agree to join the Coordination Body which was established recently in Zagreb to work together in the spirit of the peace plan as far as circumstances will allow before the stage of formal implementation and the start of the Interim Presidency.

The comprehensive peace plan that had eluded us for so long is now within our grasp. We hope you all will have the courage to seize it.

Concept for the Northern Corridor

The Northern Corridor will consist of the internationally controlled throughway linking Banja Luka Province and Bijeljina Province and a demilitarised zone extending 5 kilometres either side of the throughway in the territory of BiH.

The demilitarised zone concept includes:

- Adherence to the broad principles for the cessation of hostilities agreed by all parties and included in S/25221 (Annex I);
- Implementation of the measures to separate forces and withdraw heavy weapons agreed by all parties and included in S/25221 (Annex IV);
- The implementation of a zone extending in BiH territory for 5 kilometres either side of the throughway in which no military force's personnel, equipment or installations, other than those of the UN forces, will be authorised.

Demilitarised zone measures will include:

- Patrolling by the UN implementation force to ensure compliance by all parties;
- Other than UN forces, the only personnel allowed to carry arms in the demilitarised zone will be provincial civil police officers on duty. The only arms these officers will be authorised to carry will be personal side-arms (handguns). Provincial police officers will have no powers on the northern throughway.

The throughway concept is:

- A security guarantee initially by UNPROFOR and later the International Access Authority to all parties traversing Posavina and Tuzla Province via

Brcko to ensure non-interference with and protection of personnel and material using the throughway;

- No interference on the throughway. No provincial police will be able to stop any vehicle and if they have any complaint about speeding or other matters, they would have to notify an UNPROFOR patrol or later and International Access Authority Police;
- Checkpoints, patrol and monitoring, along the length of the throughway, initially by the UN implementation force and then a period of joint working with the International Access Authority Police;
- The supervised inspection at the entry points at each end of the throughway by UN force;
- Freedom of passage of humanitarian aid;
- Freedom of movement for UN forces.

Throughway measures will include:

- Timings: the throughway will be open at all times. UN forces and International Access Authority Police will use the throughway at any time and have total authority over maintenance, sign posting and other technical matters;
- Access for civilians: all civilians, regardless of sex, age or ethnic origin but provided they are carrying no weapons or ammunition will be allowed to use the throughway. Private and commercial vehicles will also be permitted to use the throughway. All will be subject to the inspection measures outlined below;
- Access for humanitarian aid: all international and local humanitarian aid agencies will be allowed to use the throughway;
- Checkpoints: the only authorised checkpoints will be those established and manned by the UN force. Provincial authorities will not be permitted to impose their own checkpoints on the throughway. Checkpoints will initially, as a security measure for users, be open only during daylight hours for non-UN traffic;
- Inspection procedures: inspections will be conducted by the UN force at checkpoints;
- Inspections may be carried out on all users of the throughway, including

humanitarian convoys;

- War related material: the carriage or transport of all weapons, ammunition or other war related material will not be permitted without a licence issued by the UN Force Commander or International Access Authority Officer responsible for the throughway. Licences will only be issued for the arms and ammunition appropriate for and destined to civil police forces. All non-licensed war related material will be turned back at the entrance or escorted back to the point of entry;
- Escorts: traffic may initially, as a security measure for users, move through a checkpoint and along the throughway by UN escorted convoy only;
- Patrols: the throughway will be patrolled by the UN force or International Access Authority official police vehicles which have appropriate communications.

Implementation time-frame. The UN will, in line with “Agreement on Peace” signed by all three parties, aim to erect checkpoints and reconnoitre the throughway by D+1, then open the throughway for civilian through traffic by no later than D+15.

International Access Authority. An International Access Authority will be established as part of the process for implementing interim arrangements for BiH. Details were included in the UN Secretary General’s report to the Security Council on 2 February 1993 (S/25221). One of the Authority’s tasks will be to take on sole responsibility for all roads declared as internationally controlled throughways. A period of overlapping responsibility is envisaged for the UN force and that of the Access Authority. This transfer of authority will only be completed by agreement of all those involved in the Access Authority.

The UN Implementation Force. The Northern Corridor will be one of the highest priorities for the UN Force tasked to implement the Vance-Owen plan for BiH. The Northern Corridor will be the highest standing priority for the UN formation tasked to be responsible for the Posavina and Tuzla Province. This UN formation will be specifically selected for its capability to undertake this task.

The broader context. With the agreement of the Republic of Croatia and FRY (Serbia

and Montenegro), the International Access Authority's role would broaden. Its existing responsibility for all rail routes in BiH, including in the Northern Corridor the important routes from Banja Luka to the border at Bosanski Samac and from Tuzla to the border at Brcko, would extend to include the links between these routes and the Zagreb-to-Belgrade rail route and to the railway through Knin to the coast in Croatia. Similarly, its responsibility for roads would extend from the international crossing points at Bosanska Gradiska and Orasje to the links between these roads and to Belgrade along the autoroute.

11.

**Maps accompanying agreement of 25 March 1993, New York, and
countersigned by all three parties in Athens on 2 May 1993**

12.

Extract from *Balkan Odyssey* (pp. 147-149) Athens, 1-2 May 1993

In London on 29 April a young man tragically set himself alight in Parliament Square as a protest against the war in Bosnia-Herzegovina. The same day in the House of Commons the Prime Minister said air strikes were not ruled out, while officials were reported as saying limited air strikes might succeed in pressurizing the Serbs to accept the VOPP. The former Conservative Prime Minister Sir Edward Heath called on me to resign because it was no use having a peace negotiator who was advocating war. 'The people in this country don't want us to go to war. They don't want planes bringing back dead bodies . . . Why should there be any risk that we are going to be pushed into military action by a President of the United States?' Another former Prime Minister, Baroness Thatcher, hitherto an uncritical supporter of Croatia and an advocate of bombing the Serbs, wisely cancelled her visit to Zagreb to receive an honorary degree in protest against the killings by Croats in central Bosnia. Douglas Hurd warned: 'We must not allow the Atlantic Alliance to fracture over Bosnia-Herzegovina.'

In New York on the same day we announced that all three parties, as well as the Presidents of Croatia, the FRY, Serbia and Montenegro, had agreed to meet in Athens on Saturday 2 May. Boutros Ghali decided to delay the moment that Cy Vance would step down as Co-Chairman until Sunday 3 May and Thorvald Stoltenberg, whose appointment as Vance's successor had been announced on 2 April, was to attend as Co-Chairman designate. Warren Christopher excused himself from a White House meeting on Bosnia to tell reporters that the Athens meeting would not change their plans at all, confirming that President Clinton would make his much-trumpeted policy decision at the end of the week. Both Churkin and Bartholomew accepted our invitation to come to Athens. On Saturday it was announced in Washington that Christopher would fly to Britain for a meeting with John Major and Douglas Hurd at the Foreign Secretary's country residence, Chevening, on Sunday evening and would then go to France, Russia, Germany and Brussels for talks with NATO and the European Community on Thursday 6 May. President Clinton had apparently agreed

on a number of military steps for stronger action in Bosnia-Herzegovina but the administration would not elaborate further.

In Athens on a fine Saturday afternoon in a hotel complex by the sea the participants began to arrive. I said that 'peace was within our grasp' and that we hoped to sign all the parties up to the VOPP. Prime Minister Mitsotakis opened the evening session with an appeal for boldness and courage; Cy Vance then spoke, saying that what was urgently needed to bring the plan into force was for Dr Karadzic to sign the provisional provincial map and the agreement on interim arrangements. I then introduced a carefully worded document which was designed to win over Dr Karadzic but also, just as importantly, to avoid objections from President Izetbegovic, and this was given to all parties to scrutinize. I hoped that it would now be possible for the Bosnian Serb delegation to agree to sign the two outstanding documents. Vance then quickly closed the formal conference down for the night, and the real work began. Churkin, Mitsotakis and Milosevic argued with Karadzic into the small hours of the night and started again early next morning. Cy Vance and I were consulted from time to time while we and Ambassador Bartholomew dealt with the various anxieties of President Izetbegovic's delegation. With Churkin we worked on a statement which Vance would read out next morning. A key sentence related to UN forces in the northern corridor and read: 'It is our view that the force should include highly professional contingents from North America, Western Europe and the Russian Federation.' Mid-morning Vance and I were invited by Mitsotakis into his room in the hotel to be told Karadzic would sign subject to a caveat about having to get the agreement of the Assembly of the Republika Srpska at a meeting which was eventually fixed for 5-6 May. Milosevic was so convinced that Karadzic might change his mind between the room and the plenary meeting place that he wanted us to sign the two documents then and there, but we agreed only to witness his caveat statement there and insisted on him signing openly in front of Izetbegovic, Tudjman and Boban. We then all as quickly as possible assembled in plenary session. Vance made his statement, followed by an apprehensive hush as the two documents were signed by Karadzic. I immediately brought the proceedings to an end without any further discussion. Karadzic was in a state of high emotion, clearly having been bullied all night into submission, but what was more worrying in retrospect was the attitude of Krajisnik, who when I met him in the hotel lift was shaking his head,

clearly very unhappy. I was reminded of how in Geneva time after time when it came to the crunch Karadzic tried to evade carrying sole responsibility. I knew that he was not a brave leader in dealing with arguments among his colleagues, but a man who spent his time looking over his shoulder, and I should have spent more time with Krajisnik. It was a mistake I did not make again, devoting a lot of time thereafter to Krajisnik. Yet Mitsotakis had agreed to go to Pale with Milosevic to help Karadzic persuade his Assembly, and most of us felt that this would be sufficient.

I went on various countries' television shows and the bright sun and the lifting of the strain of four months' intensive negotiations since we had begun to win acceptance of the VOPP in Geneva at the start of the New Year encouraged me to lower my guard and talk of a 'bright day' for the Balkans -- for so it seemed. Implementation, we knew, would be difficult, but I really felt we had won the peace that Sunday. As I said goodbye to catch my afternoon flight back to London I looked back and there, sitting in swimming trunks by the hotel pool, was Cy Vance in his last day as Co-Chairman, looking like a man with a load off his shoulders. I thought what a wonderful retirement present it was for him and so richly deserved. I knew I would miss him greatly in the months ahead, for it had been a joy to work together, while Athens appeared to be an excellent starting point for Thorvald Stoltenberg. Flying over the Acropolis I could barely believe it, but it seemed this bloody Bosnian war was over at last.

Supplementary documents

5. Conclusion

After Athens – the ending of the VOPP

1. Report by UK Representative to NATO on next steps after signature by Bosnian Serbs, 3 May 1993.
2. Two reports by UK Representative to NATO on Lord Owen's visit to NATO HQ on 5 May before knowing the result of Bosnian Serbs meeting in Pale on 6 May. Lord Owen said "it was impossible to know what the Bosnian Serb Parliament would decide".
3. Political Sitrep, UK Embassy, Belgrade, on Bosnian Serb Parliament all night meeting and decision in Pale on Vance/Owen Plan, 5-6 May 1993.
4. Extract from *Balkan Odyssey* detailing President Milosevic's telephone conversation with Lord Owen following Pale Assembly meeting.
5. Report by UK Embassy, Belgrade, on President Cosic's views on Pale meeting in briefing from his senior adviser, Stojanovic, 6 May 1993. He called the delegates in Pale as a mixture of "ignorant peasants, military fanatics and war profiteers" and reiterated his wish to continue with implementation on basis of Karadzic's signature and Yugoslav Army working with UN.
6. Text of US/Russia/UK/France/Spain Joint Action Programme on Bosnia, 22 May 1993. Also extract from *Balkan Odyssey* covering this period on how they replaced the VOPP and laid the seeds for partition of Bosnia-Herzegovina.
7. Dutch reactions to the proposed Joint Action Programme as reported by UK Ambassador, The Hague, 4 June 1993
8. Preliminary reaction to the Joint Action Programme from Kofi Annan, UN Under Secretary General, Peacekeeping, 5 June 1993.
9. Report by the UK Mission, Geneva, on Bosnia-Herzegovina Government's reaction to Joint Action Programme, 24 May 1993.

1.

Report by UK Representative to NATO on next steps after signature by Bosnian Serbs, 3 May 1993.

FM UKDEL NATO

TO FCO

3 MAY 1993

MODUK FOR PS/MR RIFKIND, CDS DUS (P)

FCO PLEASE ADVANCE TO NO. 10

FOR YUGOSLAVIA: WHERE NEXT AFTER SIGNATURE?

Summary

1. Military Committee and NAC will meet this week. If Athens agreement holds, the big issues on implementation for NATO will be command and control, rules of engagement and troop contributions. The UK must give a positive lead.

Detail

2. If the Bosnian/Serb signature at Athens is confirmed by the Pale assembly and the Vance/Owen peace plan stays on track, there will be a lot to do here at NATO in the coming days. It is not entirely clear to us what the sequence of events will be from now. I assume that if the Bosnian/Serb assembly confirms signature on 5 May there will be a rapid UNSC resolution to endorse that. Presumably the UN Secretary General will then have to report to the Security Council as quickly as possible on the implementation plans. I am not clear whether a further UNSC resolution is then required to start the clock ticking and for first deployments to begin.

3. Meanwhile the main tasks confronting the alliance include reaching agreement on command and control for any NATO organised plan to underpin Vance/Owen, finalising the operational plan, full identification of national force contributions, and deployment forward of first elements of the military headquarters. The reconfiguration of UNPROFOR to mesh in with all this is also a major factor. The Shape/IMS Recce visit approved last week will need to be accelerated and its level possibly reviewed (General Mackenzie was excluded because of French objection). I imagine further early contact will be needed between NATO and UN planners in New York to take account of the Civilian Planning dimension. Likely units will have to be brought to shorter notice to move and access to neighbouring countries (Shape's plan assumes Italy, Croatia, Serbia and Hungary) explored. It must be doubtful whether all this is compatible with the ambitious indicative timings set out in the Vance/Owen Peace Plan.

4. I spoke yesterday to Woerner and Vincent. The Military Committee will meet on the morning of 5 May and the NAC probably very soon thereafter. Both the Secretary General and the Chairman of the Military Committee see the immediate key issues as being resolution of the command and control impasse between the United States and France, early guidance on the rules of engagement for the troops who will underpin the Vance/Owen plan on the ground, and the question of the troop contributions themselves. In Vincent's opinion progress on the first two issues is a precondition for obtaining clear answers on the third. He is particularly anxious for early political guidance on how robust the Rules can be permitted to be – in his view it will have to be a step change from the present UNPROFOR Rules. What, if, for example, there turns out to be substantial resistance among lower level commanders to permitting the withdrawal and monitoring of heavy weapons required by the plan? It will also be necessary to activate soon the *ad hoc* group, proposed by France and to be chaired by Vincent, to tie in the voices of non-NATO contributors including we must hope the Russians. Up to now the Americans have held this group hostage to resolution of the C2 Question.

5. Warren Christopher is expected to see Woerner here in Brussels on the morning of 6 May, and possibly, though not certainly, the NAC too. Beyond that I do not think Woerner has entirely ruled out a possible NAC at Foreign Ministers' level a

little later in the month to bless and launch the NATO contribution (the DPC ministerial on 25 May omits the French). One victim of this new turn of events will be the level of attendance at the Eurogroup Washington conference on 4/5 May where a number of NATO PermReps were due to accompany or represent their ministers, including myself. It is clear however that the greater operational priority this week lies at NATO HQ and several of us are changing plans accordingly, in deference to Woerner's wishes, for which I apologise to HM Embassy, Washington.

Comment

6. On the assumption that the Athens agreement is not derailed and that the UN does indeed turn to NATO for a major contribution to making the plan work, the alliance has a big test ahead of it. When it comes to ground troop contributions and indeed throughout the process outlined above I hope the UK will be able to play a prominent part and give a positive lead. With the US Ambassador's seat here still vacant and changeovers in progress for the Dutch, Italian and German PermReps, Woerner will certainly look to me (and ironically to my French counterpart blot) for active help in steering the council forward, and I hope your instructions to me can bear that in mind. This of course applies pre-eminently to the question of troop contributions. Shape will be looking to us for the ARRC HQ plus supporting elements, a UK Brigade and possibly also a Divisional HQ. I suppose the question of helicopter and close air support from our task force or reinforcing elements in Italy could also arise. The period of working up will provide some opportunity for judging whether the deal struck at Athens is being broadly respected on the ground. We must not however create the impression that the UK is holding out for a perfectionist line on conditionality when speed of implementation is of the essence.

7. I think Woerner, Vincent, Shali (yesterday in Washington seeing President Clinton), and others here all recognise that the contribution of the alliance may turn out to be decisive for current attempts to bring peace in former Yugoslavia: and that it is very important for the future credibility of the reformed NATO and its place in Europe that this contribution should not be seen to fail.

WESTON

[Para 4 flags up an immediate key issue: the resolution of the command and control impasse between the US and France and early guidance on rules of engagement. Also it cites derailment of the Athens agreement and whether broadly accepted on the ground.]

2.

Two reports by the UK Representative to NATO on Lord Owen's visit to NATO HQ on 5 May before knowing the result of Bosnian Serbs meeting in Pale on 6 May.

FM UKDEL NATO

TO FCO

5 MAY 1993

MODUK FOR PS, PS/PUS, CDS and others

YUGOSLAVIA: LORD OWEN AT NATO

Summary

1. Lord Owen had one hour with Woerner here today, followed by an hour with NATO PermReps (see MIFT), and a subsequent working session with the Chairman of the Military Committee and Saceur's Chief of Staff. Lord Owen would like the second UN Security Council resolution adopted if possible next week. He calls for immediate commitment of Western troops thereafter to quote bring about the Peace Plan unquote: and argues that NATO's military operation could be phased out within 18 months to 2 years, as soon as UN supervised elections have been held.

Detail

2. Lord Owen saw the NATO secretary general for one hour here this morning. Vincent, Saceur's Chief of Staff and I were among those who sat in. Lord Owen then saw NATO PermReps or their deputies for a further hour, before going off to a working lunch with Vincent and Saceur's chief of staff to examine the map implications of the Athens agreement in more detail. In order to tighten up co-ordination between the Co-Chairmen and both NATO and the UN on these aspects Lord Owen directed his own Military Adviser Brigadier Messervy-Whiting to remain

here at NATO HQ for the next couple of weeks or so and the Co-Chairmen's Military Adviser for UNPROFOR Brigadier John Wilson to go to UN Headquarters in New York for the same purpose. Woerner and Vincent greatly welcomed this.

3. Lord Owen's team also left with us the full texts of the statements by himself and Vance at Athens on 2 May (which we had not up to now received).

4. Among the main points of interest to emerge from this morning's useful sessions were the following:

A) Close questioning on the additional troop implications of the Athens provisions on the Northern Corridor and withdrawal of Serb forces. From Serb towns and villages in non-Serb provinces. Lord Owen accepted. That this would mean some additional military requirement but argued that this should not be exaggerated. Saceur's Chief of Staff thought that if North American, West European and Russian troops were all to be deployed in the Northern Corridor these might complicate the military task there. Lord Owen emphasised that on deployment of UNPROFOR forces in the Serb towns and villages from which Bosnian Serb forces had withdrawn there could be no question of allowing Krajina-type UNPAS to be created, and local policing and administration would be quote for the provincial authorities. The role of UN forces would be to prevent HVO forces and Muslims infiltrating and taking military control of the evacuated towns and villages, and getting the Serbs themselves out unquote.

B) Lord Owen, made no bones about the fact that he saw the job of the NATO-led UN Forces as being to quote bring about the Vance/Owen peace plan unquote. It was chapter VII stuff, a step change in implementation, and there would be some fighting. Deadlines would have to be set and opposition dealt with. Particularly in the early stages, firmness of purpose would be required and quote tanks would fire in anger unquote. But the basic fact was that Milosevic was not going to subvert the Athens Agreement, and that was the only question that mattered. The NATO team observed that this strengthened the case for clear unambiguous operational command along orthodox NATO lines. There could be no question of repeating the haphazard UNPROFOR arrangements, though they gave due weight to Lord Owen's arguments

that blue helmets would continue to be highly desirable, even if white vehicles were not. On command and control it was observed that the UN Secretary General's non-paper (Section III) contained language which was not unhelpful on relations between the UN special representative and the theatre commander, although the Organogram had been a nonsense. Vincent reported that France now appeared to accept Cincsouth being responsible for the air/sea/land overall theatre command with an in theatre land force HQ below him who could be French. Lord Owen said a strong NATO chain of command was part of the price worth paying for the major United States decision to involve itself in a new way in UN peacekeeping.

C) Lord Owen's wish to have the second UN Security Council resolution adopted in New York next week seemed over-ambitious to many here. Lord Owen saw British and French UNPROFOR forces in Bosnia immediately converting their role, with help from their national reinforcements already in the region. He said Christopher had been talking privately of putting in 2000 or so US troops very early (Vincent confirmed that there was US talk of deploying a US Brigade very early). Once this happened, in Lord Owen's view, the UK would also move. Vincent said he was still looking for guidance on time lines for reinforcement of forces in situ, and on early deployment of key elements of the new UN force, as well as guidance of how much conditionality was enough. Owen said he hoped that the 5 days for withdrawal of heavy weapons from Sarajevo would stick, but he would not quibble if the 15 days for withdrawal of heavy weapons elsewhere slipped a bit. As for the longer term prospects Lord Owen said he had always found the Cyprus analogy totally inappropriate. The International Community would have to get used to operating on shorter deadlines. The peace implementation force should stay there for 18 months to 2 years until UN supervised elections had taken place and then be phased out.

5. See MIFT for full record of Lord Owen's session with NATO PermReps.

WESTON

FM UKDEL NATO

TO FCO

5 May 1993

MODUK FOR PS, PS/PUS, CDS and others

MIPT: IMPLEMENTATION OF VANCE/OWEN PEACE PLAN FOR BOSNIA:
BRIEFING OF NATO PERMREPS BY LORD OWEN

Summary

1. Following discussion reported in MIPT, Lord Owen briefs NATO PermReps. Strong emphasis on need to get some forces in quickly and on impossibility of guarantees of peace before their entry. But Lord Owen believes Milosevic committed to settlement and will deliver.

Detail

2. On morning of 5 May, after discussion reported in MIPT, Lord Owen briefed NATO PermReps. He said it was impossible to know what the Bosnian Serb Parliament would decide today. But he was quite sure that Milosevic had decided, mainly because of the increased sanctions under UNSCR 820, to accept the Peace Plan, and that he would put the necessary pressure on the Bosnian Serbs. If they did not agree today, they would be forced to agree before long.

3. Implementation of the Plan would be difficult, but not impossible. There were four particularly difficult areas – Bihac, the Northern Corridor, Sarajevo and Eastern Bosnia. The timetable set in the plan was tight, and if NATO believed that some of the target dates could not be fulfilled (e.g. For the withdrawal of heavy weapons), it would be better to say so now rather than fail later. Adapted target dates could then be put into the Security Council Resolution, even though the Muslims would not like it.

4. It was inevitable that there would be some resistance. If we waited for a State of Peace, we should wait for ever (although he could produce a lot of evidence to

show that the overall level of hostilities had been winding down for several months). There could not be any guarantee of peace. But the key question was whether Belgrade would deliberately subvert implementation of the plan. His judgement was that they would not, and we should proceed on that calculation. However, some warlords were out of control. Those elements which did not withdraw by the appropriate deadline would have to be forced out.

5. The forces sent to supervise implementation should be UN forces in blue berets, but there was no need to paint their vehicles white, and there should certainly be no delay on that account. The UN was turning to NATO, the Military Arm of the region, to take on the main role (although it would be fine if the WEU could also play some role) and it was important that NATO should succeed.

6. We should not worry too much about command and control arrangements. If the US insisted on a mainly NATO command structure as the price for its participation, that was a price well worth paying. But the operation must be seen to be a UN operation, which would indeed help to give protection for the troops. The UN had a massive amount on its plate and would not make difficulties. The UN Secretary General's Representative must have a right of appeal to the Secretary General but regardless of the words defining his exact relationship with the Theatre Commander, the two would have to work together, and would do so, particularly now that Stoltenberg had agreed to be the special representative.

7. The key thing was to get some forces in quickly. He did not understand why there needed to be two Security Council Resolutions. There should be one resolution next week, and thereafter forces should get in as quickly as possible. Two weeks would be too long. If he were kept waiting for three weeks, he would make his impatience public. The initial deployment could be to selected locations – the two obvious ones were Sarajevo and the Northern Corridor. It was particularly important to get some US ground forces in quickly – even five hundred in Sarajevo would have an enormous impact. The UK and France would follow.

8. It would not be credible to ask the US to contribute more than 50% of the Force, and his hope was that the Europeans (East and West) would contribute

substantially more than the US. A large force would be needed initially, but could be reduced thereafter. It was absurd to talk about a need to stay for 20 years. We should make it clear from the start that the force would stay until the UN supervised elections (due in between 18 months and 2 years) and would thereafter be withdrawn.

9. Vershbow (US) and Mevik asked about the state of Civilian Planning. Lord Owen said that it was difficult for the UN to obtain adequate personnel, and there would be a particular problem over civilian police. It was a great advance that Stoltenberg would be the special representative, since he would have responsibility on the civilian side. Most of the restoration of the infrastructure would be the responsibility of the Provincial Governments, although the electrical grid was the responsibility of the Central Government. He would be trying to raise some money for infrastructure work, and hoped to call on the commission this afternoon for that purpose.

10. Vershbow asked about non-NATO, and particularly Russian, participation in the force. Lord Owen said that Churkin had been in Athens, and had accepted a commitment to provide forces.

11. Vershbow asked about the understanding on the Northern Corridor, and whether additional forces would be required. Lord Owen said there were no hidden deals on the subject – he circulated the relevant document (by fax to FCO and MOD). It had been agreed in Athens that there should be a demilitarised Zone 5 kms either side of the Corridor (as distinct from the original 1km). This was an additional military commitment, but it should not make an enormous difference, particularly since the area through which the corridor passed was Croat, and he thought the Croats would be cooperative. Milosovic had asked for Russians to be involved in protecting the Northern Corridor, and the two Co-Chairmen had made an agreed statement on this point saying that it was their understanding that high calibre forces would be available for the Northern Corridor, and that in their view these should include North American, Western European and Russian forces.

12. Asked about other special commitments, Lord Owen said that the most dangerous and crucial commitment made to the Serbs was that when Serb forces

withdrew from a previously Serb village, they should be replaced in the first instance by UN forces and not by forces from the other side. But this should not be considered as applying to all areas from which Serb forces withdrew under the Plan, only those in which Serbs lived. And it did not mean that these would become UN protected areas – the police force would be the appropriate provincial police.

13. Vieira Borgs (Portugal) asked whether the Muslim signature was a tactical ploy. Lord Owen replied that the Muslims like the other parties had their own objectives. But the plan was the only realistic compromise, and he believed this was increasingly understood, even though there were many problems to be resolved.

14. Mevik asked about the trial of war criminals. Lord Owen said that there were great legal complexities. But he believed it was important that some people should actually be arraigned before a court. People needed to understand that not everything was legitimate in War.

15. In conclusion, Lord Owen stressed again the importance of , moving fast. NATO must not fail in this task.

WESTON

3.

Political Sitrep, UK Embassy, Belgrade, on Bosnian Serb Parliament all night meeting and decision in Pale on Vance/Owen Plan, 5–6 May 1993. Also record of Milosevic's telephone conversation with Lord Owen.

FM BELGRADE

TO FCO

6 MAY 1993

BUDAPEST FOR SECRETARY OF STATE'S PARTY

YUGOSLAVIA: POLITICAL SITREP 5/6 MAY 93: BOSNIAN SERB

PARLIAMENT DECISION ON VANCE/OWEN PLAN

Summary

1. Bosnian Serb parliament votes against ratification of Vance/Owen Plan and in favour of referendum on 15/16 May. Karadzic insists that plan has not been rejected, and that he sees no reason to resign. Milosevic, Cosic, Bulatovic and Mitsotakis all address Parliament for second time, urging unconditional acceptance. Milosevic reported to have described proposal to ratify on basis of nine conditions as 'children's game': leaves session through side door without comment. Cosic describes no-vote as 'worst and most fatal' decision. Mitsotakis expresses disappointment but emphasises that Serbia had done everything possible to secure ratification.

Detail

2. Shortly before 5 am local this morning (6 May), after a 16 hour session, the Bosnian Serb assembly in Pale voted by 51 to 2, with 12 abstentions, against ratification of the Vance/Owen plan and for the holding of a referendum, as previously agreed, on 15–16 May. Speaking to the press afterwards, Karadzic and

Krajisnik stated categorically that the assembly had not rejected the plan, but instead would put the decision to the people.

3. Earlier, around midnight, Buha, Bosnian Serb Foreign Minister, had released the text of a document drafted by a commission of the Parliament, listing 9 conditions for the Parliament's acceptance of the Plan:

- 1) agreement on a ceasefire and the deployment of UN observers along the front line.
- 2) the lifting of sanctions imposed on the Serb nation.
- 3) geographical 'continuity' for Serb provinces.
- 4) the continued existence of a unified government in the (Bosnian) 'Serb republic'.
- 5) 50% of NATO troops deployed under the Plan to be from orthodox countries.
- 6) the withdrawal of Croatian troops from Bosnia and an end to NATO overflights.
- 7) ethnic principles to be applied to defining the Serb provinces in the same measure as to Muslims and Croats.
- 8) corrections to disputed territory, with referenda in individual villages and towns to decide which province they wish to belong to.
- 9) Serb possession of province 3 (Posavina) in exchange for Muslim possession of province 7 (Sarajevo).

4. The debate then went back into closed session. During this Milosevic, Cosic, Bulatovic and Mitsotakis all addressed the Parliament for a second time, reportedly in more forthright tones than earlier in the day (my TUR), and calling for unconditional signature. 'Borba' quotes 'reliable' sources as saying that Milosevic described the above conditions as 'children's games', and that because of them he was 'very angry'. During the subsequent debate it appears that the nine demands were whittled down to three or four: lifting of sanctions, suspension of no-fly zone, Serb possession of Posavina and other corridors, and deployment of UN observers on frontlines. It is not clear at what stage or why it was decided to drop the conditioned signature approach and opt for a referendum.

5. Immediately after the vote, Karadzic told the press that acceptance or rejection of

the Plan would have been equally tragic, though he saw no reason for military intervention: the Bosnian Serbs would not take one more metre of territory: they were, however, in a mood to sacrifice themselves, which was a most dangerous state for any nation to be in. In response to a direct question from Reuters, he said that he did not plan to resign, since the Vance/Owen Plan had not been rejected.

6. Milosevic left the session through a side door, without speaking to the press. According to Karadzic, he was 'deeply disappointed'.

7. Cosic accused the Bosnian Serb Parliament of taking the 'worst and fatal' decision: political sense had been defeated: the country and the people now faced great uncertainty: there was no knowing what the coming days and nights would bring.

8. Mitsotakis, who in his public address to the Parliament, had earlier described the vote as fateful not only for the Serbian people but also for the whole Balkan peninsula, is reported to have expressed his disappointment at the result, while emphasising that he considered Serbia had done everything possible to encourage ratification.

Comment

9. Cosic's adviser, Stojanovic, has asked to see me this morning and I will report further thereafter. It seems fair to report however that the media in Belgrade and the man on the street (many stayed up overnight, listening to TV and radio reports of the debate) have both been taken by surprise by the Bosnian Serbs' 'defiance' of the three Presidents and Mitsotakis (and even of the Serbian Patriarch, who last night issued a strongly worded appeal to the deputies to be aware of their responsibilities for the future of the whole nation). With this in mind, initial Western reactions should as far as possible seek to preserve the fragile alliance between Milosevic and the Serbs in Serbia by fingering the Bosnian Serbs rather than the Serbian regime or Serbia for what has happened.

10. See MIFT for Bosnian security sitrep.

ROBINSON

4.

Extract from *Balkan Odyssey* detailing President Milosevic's telephone conversation with Lord Owen following Pale Assembly meeting

Milosevic rang me that morning in London, having driven back to Belgrade. He had been up all night and was angry, fed up and tired. He was vitriolic about Krajisnik for delaying the vote when he was afraid it would have been won and said that Mladic had intervened in the small hours against acceptance of the plan to considerable effect. We agreed to meet when we had both had time to reassess the situation, but he said he would take measures to make the Bosnian Serbs aware of their responsibilities, which I took to mean some form of sanctions. I learnt that Cosic too was 'tired and angry' and had apparently described the deputies, privately, as a band of ignorant peasants, military fanatics and war profiteers. He very much doubted whether many of them had even read the Vance--Owen plan. He had also been horrified by some of the scenes of devastation he had driven through on his way to Pale. As far as Cosic was concerned, Karadzic had been a disaster. Instead of coming out firmly for the plan, he had been more interested in sitting on the fence and preserving his political skin. Cosic considered Krajisnik to have been the villain of the piece, closely followed by Mladic. Krajisnik had deliberately made the voting public so as to shame the undecided. He had arranged for television to show the initial speeches of the visitors, but had not allowed the cameras to broadcast their much tougher second speeches. The three Presidents now intended to release the texts of the latter. There was also evidence of bribery. Mladic had pointed out the dangers of military intervention, but had then come down firmly against ratification. He swung the meeting by showing a detailed map of Serb-held areas and towns which would be 'lost' under the plan. Mladic had done this despite a meeting the previous day with the Yugoslav army hierarchy near the Bosnian border, at which he had supposedly been warned that supplies and other help would be stopped if the plan was not ratified. I had doubts as to whether Mladic was in fact given a serious warning. The JA at this stage was not fully under Milosevic's control; it still recognized Cosic's presidential role and contained many senior officers who openly supported Mladic. The April shift in Milosevic's position to acceptance of the VOPP was still contentious with the

military in the FRY. They did not like our proposal for a throughway instead of a territorial corridor any more than Mladic did. Though General Panic had not been an impressive head of the JA, no one had emerged as a strong alternative, and I believed that Mladic had judged correctly that he had considerable support within the JA -- also because Seselj had done well in the elections. This was a factor weakening Milosevic's authority with the military.

General Ratko Mladic was arguably, for a moment, the most powerful Serb. He was born on 12 March 1943 in Bosnia at Bozinovici, near Kalinovik, some 50 km south of Sarajevo, and both his parents had fought with the Partisans. His father was killed by Croatian Ustasha fighters in a raid on Bradina, the home of the Ustasha leader, Ante Pavelic, when Mladic was only two years old. Much has been written about how this experience made him nurse a grievance and gave him a permanent hatred of the Croats, but I found no evidence that he was particularly anti-Croat. He joined the League of Communists in 1965 after attending the Military Academy, and in the 1991 census chose as his nationality to be classified as a Yugoslav. In Pale he was quite close to Mrs Plavsic, but he eschewed too close a public identification with any politician. Whenever in discussion with me there had been an opportunity to adopt a party political position he had been careful to step back, usually with a wry smile and a remark about 'being a simple general and not a politician'. The one thing he is not is a simple general. He has had a brilliant military career and emerged from the Command Staff Academy in 1978 as an officer marked for the highest commands. Given the traditions of the JNA at that time he would not have progressed as a battalion and brigade commander so quickly if there had been any hint of his being a rabid Serb nationalist. When the Serb--Croat war started in June 1991 he was Chief of Staff of the 9th Army Corps based in Knin. Like many other corps it was disintegrating as officers and men started identifying themselves as Croat or Slovene and began to leave the JNA, either to join up with their national forces or to quit military service and in some cases leave the country. Those, mainly Serbs, who remained with the JNA did not have it all their own way and many were humiliatingly blockaded into their barracks by surrounding Croatian forces -- one reason why the JNA responded so massively in places like Vukovar. By that stage a classic civil war had developed, with the army splitting up and brother officers breaking friendships and leaving to fight each other. The atmosphere at this time is well caught in Misha

Glenny's *Fall of Yugoslavia*. Mladic was widely judged to have fought with considerable skill in the Knin; but he also developed a reputation as a braggart. Whether he has committed war crimes will be for the War Crimes Tribunal to decide. If the Tribunal does find that there is a case to answer it will have to be a very different and powerful government in Belgrade to respond to an arrest warrant from the Tribunal and deliver Mladic up for trial, for he will be protected by the JA. Indeed, so confident is he of that protection that I doubt he is much influenced by the existence of the Tribunal.

In May 1992 Milosevic was personally responsible for promoting Mladic above many more senior people to command Serb forces in Bosnia-Herzegovina. He was appointed a Lieutenant-Colonel General in August 1992 and a Colonel General in June 1994. On a number of occasions he has made quite absurd claims, such as that he would bomb London, which have had to be disowned by his political masters. But these bravado statements are calculated to boost the morale of his peasant soldiers, who see him as a hero. He often visits the front line, and in September 1994 near Bihac was injured and nearly caught by Bosnian government forces. On these visits he sleeps, eats, drinks and talks with his men in their dugouts. Yet the same man can conduct a serious debate in Geneva or Belgrade on the strategies of Clausewitz and the lessons of the 1991 Iraq war. He is well informed on all NATO weapons systems and studies their capacities with great attention. Public bully, private calculator -- these are but elements in his complex make up. He is purported to have watched in May 1992 as the house in which he had lived with his brother was burnt down, an experience which helped to harden his Serb identity. His remarks about Muslims are often racist, about Croats and Muslims contemptuous. Our conversations were dignified, with none of the bombast he unleashed on others, but I found little evidence of a softer inner side to his character, though I do believe the story that he is devoted to his wife and son. After his 23-year-old medical student daughter's suicide I commiserated with him in terms of my own son's childhood leukaemia, which was fortunately cured. For a brief spell we were fathers first and foremost; but within minutes we were back to a wary confrontation and mock jocularly. He never lowered his guard in the many hours of conversation I had with him. He wanted a Serbia extending in one continuous territorial swathe to include Trebinje, Pale, Bijeljina, Banja Luka and Knin, with Montenegro and possibly Macedonia. If it was called

Yugoslavia so be it, but I suspect he would have preferred it to be called Serbia. He attends the Orthodox Church ceremonies that have become a feature in Pale, but I suspect out of duty rather than conviction.

He never appeared afraid of NATO air strikes or US threats to lift the arms embargo. Probably he would have welcomed both as getting the politicians off his back and allowing him to wage war with the gloves off. He assesses the UN capabilities and the consequences of any defiance and then decides when to back off and when to confront. The prospect of continuing the fighting into the twenty-first century is one he views with total equanimity. He has not yet been tempted by any of Milosevic's offers to hold higher rank within the JA. When he defied Milosevic over the VOPP in Pale in the early hours of the morning on 6 May, and as Milosevic stormed out, defeated, to drive back to Belgrade, Mladic used a football analogy, saying with a grin: 'It's fantastic, just like during Real Madrid's best days' -- a remark well judged to appeal to his countrymen, who remain football crazy.

Some observers explain the Pale Assembly decision in terms of a power struggle within the Bosnian Serb leadership between the civilians and the military, with the latter keen to be on top, in part for fear that skeletons in their cupboard, such as massacres and war crimes, would be uncovered by the UN if they accepted the peace plan. We will probably never know what effect the publicity over the Tribunal had on the peace process and on the minds of the key leaders, at this moment and at other times. I am afraid my explanation is simpler: I think at Pale the Bosnian Serbs calculated they could 'cock a snook' at Belgrade and the world and get away with it, and unfortunately they were right.

5.

Report by UK Embassy, Belgrade, on President Cosic's views on Pale meeting in briefing from his senior adviser, Stojanovic, 6 May 1993

FM BELGRADE

TO FLASH FCO

6 MAY 1993

BUDAPEST FOR SECRETARY OF STATE'S PARTY

YUGOSLAVIA: BOSNIAN SERB ASSEMBLY: FEDERAL REACTION

Summary

1. Cosic adviser describes Federal concern at outcome in Bosnian assembly, and hopes that International Community will push ahead with military preparations for VOPP implementation, on the basis of the Athens signatures, as an alternative to punitive Military intervention/lifting of arms embargo, which would kill the Plan.

Detail

2. Cosic's special adviser, Stojanovic, called on me earlier today to give the following background to the meeting in Pale, and to argue that Western preparations for Military implementation of the VOPP should go ahead regardless of the Parliaments' decision.

3. Stojanovic claimed that Milosevic had been 'lost and panicky' when he left pale this morning. Cosic was 'tired and angry': he had described the deputies privately as a band of ignorant peasants, military fanatics and war profiteers: he very much doubted whether many of them had even read the Vance/Owen plan. (Cosic had

also been horrified by some of the scenes of devastation he had driven through on his way to pale.)

4. Cosic considered Krajisnik to have been the villain of the piece, closely followed by Mladic. Krajisnik had deliberately made the voting public so as to shame the undecided. There was also evidence of bribery. He had arranged for television to show the initial speeches of the visitors, which had been intended for closed session, but not allowed the cameras to broadcast their much tougher second speeches: the three Presidents now intended to release the texts of the latter. Mladic, had pointed out the dangers of military intervention, but had then come down firmly against ratification. (we have heard separately that he may have swung the meeting by showing a detailed map of Serb held areas and towns which would be 'lost' under the plan.) Mladic had done this despite a meeting the previous day with the JA hierarchy near the Bosnian border, at which he had been warned that supplies and other help would be stopped if the plan was not ratified. Stojanovic believed there was now a power struggle within the Bosnian Serb leadership between the civilians and the military, with the latter keen to be on top, in part for fear that skeletons in their cupboard CIE massacres and war crimes), would be uncovered by the UN if they accepted the Peace Plan.

5. Karadzic had been a disaster as far as Cosic was concerned: instead of coming out firmly for the Plan, he had been more interested in sitting on the fence, and preserving his political skin.

6. Stojanovic said that the Federal Troika were depressed and worried about the International reaction, but would not give up. The next stage would be for the three Federal Parliaments to give their verdict on the pale decision. The Supreme Military Council and State Council would be meeting later today and tomorrow. The leadership's dominant concern would be to persuade the International Community to channel its military efforts into preparing for the implementation of the Plan, rather than into punitive military strikes and other measures, such as lifting the arms embargo, which would spell the end of the plan. He hoped that the West would simply ignore the Parliament's decision and act on the basis of the 'moral and legal

authority' of Karadzic's Athens signature. (Stojanovic questioned whether either of the other signatures had been ratified.)

7. Stojanovic then put to me a number of ideas concerning military implementation of the VOPP, which he said he had discussed with Cosic, but which were for the time being personal suggestions.

A) The Rules of Engagement of a UN Implementation Force should be not to shoot first, but respond with force when attacked. The act of firing on the UN force should be declared a crime against humanity, for which the military leaders of the troops involved, i.e. Mladic etc., would be held personally responsible and brought to account.

B) Stojanovic believed (though after last night there must be considerable doubt about this) that the FRY Leadership could, on the basis of such a threat, gain acceptance in the FRY and in Bosnia for the concept of an implementation force as an occupying force rather than as a hostile attacking aggressor: moreover, as had been the case with Tito's 'Trieste' position, he believed the Serb population in Bosnia could be persuaded that neither they nor the army should ever fire on the troops of countries who had been their allies in two World Wars, i.e. the predominant nationalities in the UN force should be British, French, American and Russian.

C) The UN should issue an ultimatum as soon as they were ready, giving the Serbian Forces surrounding the Muslim enclaves in Eastern Bosnia a period of say three days during which they should withdraw their troops to a perimeter line, their heavy weapons 30 kms behind that, after which the UN would move in to establish demilitarised zones. A similar 'ultimatum' approach should be used to 'occupy' the areas outside designated Croatian and Muslim provinces currently under Serbian control.

D) Stojanovic again referred to Cosic's idea that Yugoslav Army Liaison Officers should be attached to UN forces occupying Serb populated areas. This would ostensibly be on the basis of offering guarantees to the local population, but they would equally serve as a 'protective shield' for the UN. Similarly, Stojanovic believed

that JA Liaison Officers should be attached to UN Humanitarian Aid Convoys to provide them with an additional 'protective shield' during the initial period of VOPP implementation.

E) Stojanovic said he hoped that the Geneva negotiators would not give up their search for additional guarantees that could be offered to the Bosnian Serbs. The feeling that the UN could no longer be relied on, following January's attack in the Krajina, had been mentioned by many speakers at Pale as a reason why VOPP guarantees were insufficient. There was also a feeling that even an adequate military force could be withdrawn at short notice for UN budgetary reasons. Stojanovic thought the proposal for JA Liaison Officers with a UN implementation force would help. He also hoped the conference negotiators would not rule out completely the option of a Serb/Croat deal to divide province three in such a way that it left the corridor within Serb territory.

Comment

8. After last night's vote, some of Stojanovic's personal ideas sound somewhat unrealistic: but his emphasis on the Serbian leadership's wish to see UN military planning for VOPP implementation continue regardless seems worth reporting because of its closeness to Lord Owen's own public statements.

ROBINSON

[Once again Cosic opens up possible involvement of Yugoslav military and JA liaison officers with UN implementation forces. Interesting ideas but never really contemplated.]

6.

**Text of US/Russia/UK/France/Spain Joint Action Programme (JAP)
on Bosnia, 22 May 1993 covering the five safe havens and extract
from *Balkan Odyssey* covering this period**

FM WASHINGTON
TO IMMEDIATE FCO
22 May 1993

FROM PRIVATE SECRETARY
TEXT OF US/RUSSIA/UK/France/SPAIN JOINT ACTION PROGRAMME ON
BOSNIA

France, the Russian Federation, Spain, the United Kingdom, and the United States of America are profoundly concerned that the conflict in Bosnia-Herzegovina is continuing despite the strenuous efforts of the international community and the Co-Chairmen of the International Conference on the Former Yugoslavia, which they strongly support, to bring an end to it.

We shall continue to work urgently to help extinguish this terrible war and to achieve a lasting and equitable settlement.

We also have common views on the most productive immediate steps to take. These should lead to implementation of relevant Security Council resolutions as well as the elaboration of further steps.

1. Humanitarian assistance. We will continue providing humanitarian assistance for the people of Bosnia-Herzegovina, and will insist that all parties allow humanitarian aid to pass without hindrance.
2. Sanctions. The economic sanctions imposed by the United Nations Security

Council against Serbia and Montenegro must be rigorously enforced by all members of the UN until the necessary conditions set out in Security Council Resolution 820, including the withdrawal of Bosnian Serb troops from territories occupied by force, are met for lifting the sanctions.

3. Sealing borders. We note the pledge of the Belgrade authorities to close the border with Bosnia-Herzegovina, in order to put pressure on the Bosnian Serbs to accept the Peace Plan. We are watching to see if the border closure is effective. Although the primary responsibility for enforcing this step belongs to Belgrade, we can assist, for instance by placing monitors on the borders or providing technical expertise or conducting aerial surveillance. We also note the willingness expressed by the Zagreb authorities for monitoring to take place along the border between Croatia and Bosnia-Herzegovina.

4. 'Safe areas.' The concept of 'safe areas' in Bosnia-Herzegovina, as France and others have proposed, could make a valuable contribution. We will work to secure early adoption of the new UN Security Council Resolution now under discussion. The United Kingdom and France along with other nations already have forces serving with UNPROFOR in 'safe areas.' troops from other countries, including Spain and Canada, are playing an important role on the ground. The Russian Federation is considering making forces available in Bosnia in addition to its forces presently in Croatia. The United States is prepared to meet its commitment to help protect UNPROFOR forces in the event they are attacked and request such action. Further contributions from other countries would be most welcome.

5. No-fly zone. The No-Fly Zone should continue to be enforced in Bosnia.

6. War Crimes Tribunal. We support the rapid establishment of the War Crimes Tribunal, so that those guilty of atrocities may be brought to justice.

7. Durable peace. Negotiated settlement in Bosnia-Herzegovina, building on the Vance-Owen process and intensified international cooperation and effort, is the way a durable peace can be established. France, Russia, Spain, the United Kingdom, and the United States will assist and actively participate in a continued political process to this end. To the extent that the parties decide to implement promptly mutually-agreed provisions of the Vance-Owen plan, this is to be encouraged.

8. Central Bosnia-Herzegovina. We are deeply concerned about the fighting between Bosnian Croatian and Bosnian Government Forces and the related 'ethnic cleansing,' and we agree that Croatia should be put on notice that assistance to Bosnian Croatian forces engaged in these activities could result in the international community imposing sanctions on Croatia.

9. Containment. We will cooperate closely to enhance efforts to contain the conflict and prevent the possibility that it will spill over into neighbouring countries. We would regard such a development with the utmost seriousness.

10. Former Yugoslav Republic of Macedonia. It is essential that everyone in the region understands that aggression against the former Yugoslav republic of Macedonia would have grave consequences. We will support an increase in the international presence there in consultation with the authorities in Skopje. The United States is considering a contribution to this effort.

11. Kosovo. We favour an increase in the international monitoring presence in Kosovo. International standards of human rights should be strictly respected in the Formerly-autonomous region of Kosovo, although we do not support declarations of independence there.

12. Croatia. The same considerations apply to the Serb-populated areas of Croatia. We will work for the renewal added and strengthening of UNPROFOR's mandate. The Croatian Government and the local Serb Authorities should maintain the cease-fire and constructively pursue their dialogue leading to settling practical, economic, and, eventually, political problems between them.

13. Further measures. We will keep open options for new and tougher measures, none of which is prejudged or excluded from consideration.

We five members of the United Nations Security Council are firmly united and firmly committed to taking these immediate steps. We will work closely with the United Nations and the involved regional organizations as we carry out these efforts.

RENWICK

Extract from *Balkan Odyssey* (pp. 168-173) on how the VOPP was replaced by the Joint Action Programme and how the seeds were laid for partition of Bosnia-Herzegovina

Meanwhile the new US policy of 'containment' for Bosnia-Herzegovina was spelt out by Warren Christopher on 18 May before the House Foreign Affairs Committee in testimony he concluded by saying, 'At heart, this is a European problem.' Critics of the VOPP still had nothing positive to put in its place except the so-called 'safe areas' policy, so often discussed and just as frequently -- after hearing the arguments for and against -- rejected. This time France was advocating a 'safe areas' Resolution and Russia wanted a Security Council debate, which the US was blocking. There were the makings of a deal around perhaps the phased, as distinct from progressive, implementation of the VOPP and that is what we and, I believe, Kozyrev thought was going to develop.

On 19 May Stoltenberg and I were in Naples for a presentation of the VOPP by the NATO's Southern Commander, Admiral Boorda, and SACEUR, General Shalikashvili, came for lunch. It was a relaxed and for me fascinating occasion. The VOPP had been carefully analysed and translated into military parlance -- so much so that at times I was hard pressed to recognize it, but all the essentials were there and the hard edges of implementation, particularly putting UNPROFOR into the Serb areas where there had been ethnic cleansing, with the intention of facilitating the return of people who had been forced to leave, had been faced up to and well provided for in terms of UN numbers. I rang Churkin in Rome and all seemed to be well after Kozyrev's meeting with Tudjman and Izetbegovic in Split and meetings in the margins of the WEU session. Churkin was talking the language of progressive implementation as they flew off to Washington, while Stoltenberg and I set off for the Ukraine to see if we could persuade the government in Kiev to contribute more troops to UNPROFOR, and to Belarus to see if they too would start contributing forces to the UN.

It was clear that the Russian proposal for a ministerial Security Council meeting over the implementation of the VOPP was likely to be postponed as a result of the American refusal to attend. Back in London on 21 May I found in my pile of telegrams

from the Foreign Office one from Washington about a new diplomatic initiative involving the US, France, the UK and Russia. I had just finished reading it when my assistant, Maggie Smart, was rung up to say that it had been sent to me in error -- which meant that, for the first time I was aware of since I had been appointed Co-Chairman, I was being deliberately kept in the dark by the British on a substantive question. In fairness to the British government, I served the European Community, and in this case the British and French governments were embarking on a diplomatic initiative in an attempt to heal the Atlantic rift, knowing this was contrary to EC policy. Douglas Hurd and Alain Juppé were entitled to try to do this, and to involve me would have presented me with conflicting loyalties -- particularly since the Presidency was held by the Danes, for if I had known this was going on I would have had to warn the Danish Presidency.

It was obvious from the telegram that Washington, London and Paris had been in communication for four to five days on the substance as well as on the form of the initiative. Christopher and Kozyrev had now agreed a text, after negotiating for most of 20 May, and this was being passed to the French. The two of them had apparently agreed to say nothing to the press about the statement and the US had asked the British to hold it very close. Nevertheless, CNN had already got wind of its existence and some of the details. Douglas Hurd had flown out to the US by Concorde to arrive in time for meetings that morning, and Alain Juppé was coming to Washington for a meeting on the following Saturday. Assuming that neither had difficulties with the draft an announcement was planned for that day, 22 May.

The problem with this tidy arrangement was that the whole story was in Friday's edition of the *New York Times* under the headline: 'US and Russia Agree on Strategy Accepting Serbian Gains for Now'. Douglas Hurd rang me from the US to explain, unaware that I had the actual text of the US--Russian draft in front of me. There was a certain negative humour to the whole conversation. I was hearing the death knell of the VOPP wrapped up in diplomatic language. Douglas kept stressing how he was trying to get adjustments made towards acknowledging the VOPP while I kept coming back to the *New York Times* story, pointing out that his intentions had been completely overtaken by events. The whole package was bound to be seen for what it was -- depressingly from the European Community viewpoint, jubilantly from Pale,

despairingly from Sarajevo and cynically from Belgrade. We were back with the basic incoherence of the 10 February US position. Nothing should be imposed, and yet without the threat of imposition why should the Bosnian Serbs withdraw? To be credible, implementation had to have an element of imposition or there would be no Serb withdrawal from the really sensitive territory which their forces currently occupied. It was bizarre and, for me personally, exasperating that the US, who had been against the VOPP map for favouring ethnic cleansing, was now advocating a map that allowed the Serbs to keep more territory. Nor could I see any evidence that they were facing up to the inevitable consequence, namely the partition, not the unification, of Bosnia-Herzegovina. Allowing the Serbs more territory might enable any peace plan to be monitored -- not implemented -- by a smaller UN force, but it also meant partition, and the death of most of the London Principles. I was determined to make the European politicians face this reality if they chose to go along with the Americans. Ditching the VOPP meant ditching almost all the European countries' statements about reversing ethnic cleansing. Their track record suggested that the US and European Foreign Ministers would try to do all this by stealth, denying that there had been any change. In the US, scapegoating was a hallmark of the new administration's style, and we could expect this shift to be carried out at the expense of the Europeans. I still hoped that the EC, particularly with the Germans as late converts to the VOPP, might see that holding firmly on to our plan was the right course, not only morally but also politically. But to be credible in doing this the EC would have to be able to mobilize a European defence commitment to implement without the US.

I kept stressing to Douglas Hurd on the telephone that since it was the State Department who had given authority to the political story in the *New York Times*, he and Juppé had to dissociate themselves from the story or the VOPP was dead. Datelined Washington, May 20, the story read:

The United States and Russia agreed today to forge a common strategy with other European nations that accepts, at least for the moment, the territorial gains made by the Serbs in Bosnia.

The goal would no longer be to roll back any of the gains achieved by the Bosnian Serbs in 14 months of fighting, but rather, in the words of a senior

Administration official, 'to contain and stabilize the situation and to put the brakes on the killing.'

When asked whether this approach appeared to reward the 'ethnic cleansing' campaign by the Bosnian Serbs, the official replied, 'First things first'.

Vance--Owen Plan Put Off

The new strategy, which was discussed by Secretary of State Warren Christopher and Foreign Minister Andrei V. Kozyrev of Russia at the State Department today, would essentially set aside for now the overarching goal of the Vance--Owen peace plan, which would require the Bosnian Serbs to withdraw from about half of the territory they hold.

I gathered from Douglas that the problem facing the French, British and Russians in Washington for the drafting of an agreed text was the deep American pessimism, verging on hostility, towards the Vance--Owen peace plan. He confirmed that the US argument had changed completely in recent days: whereas they had originally argued that the VOPP was too generous to the Serbs, they were now saying it was unrealistic to expect the Serbs to give up so much territory.

Alain Juppé, when first confronted by the US text, saw immediately that it was a loose assembly of ideas which skirted around the key question of the VOPP. I had been working ever more closely with the French government since Milosevic's visit to Paris. I was aware that the Quai d'Orsay wanted a better relationship with America, particularly under Alain Juppé who, though a very convinced European, had no truck with anti-Americanism for its own sake. I already sensed that Juppé could emerge as one of the most formidable post-war French Foreign Ministers. Quick-witted and decisive, he was not one to nurse a grudge if we differed, as we did from time to time, on policy. I had little doubt that he would become a major figure in domestic French politics and, for that very reason, was bound like Douglas Hurd to take a wider view of French--American and European--American relations.

Nor could I ignore these vital wider questions of US--European relations. It was doing none of us any good to have these differences on the former Yugoslavia: the friction

was affecting NATO, GATT and other very important aspects of mutual concern. Even so, it was galling for other EC nations to have these crucial issues pre-empted; yet sometimes the need for quiet decisive action and secrecy will necessitate a smaller group of EC countries taking their responsibilities on national shoulders. I did not envy Juppé and Hurd the task facing them. Some changes were made to the document but they were largely cosmetic, for in truth Warren Christopher had presented them with a *fait accompli*, having already got Andrei Kozyrev to agree the text. Later Kozyrev was to claim publicly on British Channel Four television that he too had been 'bounced'. The decision to bring in Javier Solana, the Spanish Foreign Minister, because Spain was a member of the Security Council -- a decision taken with Kozyrev's full support - - was a wise one because it gave Juppé and Hurd some cover in relation to the other European Foreign Ministers. Everyone in the Foreign Affairs Council liked Solana and involving Spain gave the whole initiative far more of an EC flavour. Kozyrev told me afterwards that he had been amazed to read the story in Friday's *New York Times*, and had had no idea the previous day that the text could be used as the basis for such an anti-VOPP stance in the press. He had, he said, stressed to President Clinton the importance of the VOPP, in that it had been created by the international community, who had successfully pressed Milosevic to accept it, all reasonable parties on the ground had signed up to it and only Karadzic was holding out. In a London *Times* story by Nik Gowing, headlined 'Deceit Devours Diplomacy in Bosnia Last Rites', which appeared in August, Kozyrev publicly explained that the Russian position had been misrepresented in the *New York Times* story of 21 May and that he never agreed to accept Serbian gains. He said, 'This is a totally inaccurate quotation of what I said and thought. From the beginning I was insisting on a Serbian roll back.' Kozyrev also 'conceded that he might have been "bounced" by the leak into appearing to back an American effort to kill the Vance--Owen plan'.

In fairness to Kozyrev, it should be said that Warren Christopher had baited the trap with great cunning. The Russians had always believed that Vance and I had been too tough on the Serbs in terms of territory, and in particular that they should have territorial continuity and a land corridor in the north. It was inconceivable that the Russians would reject an offer from the Americans of more land for the Serbs. Also, they valued at that time the opportunity to be accepted as a fully fledged partner in a 'Big Four' initiative to resolve the Yugoslav problem. The text which eventually

emerged did contain references to the 'Vance--Owen peace process' but the 'plan' was not mentioned -- a significant omission. The other ministers did resist the American attempt to abolish the ICFY and substitute a purely governmental mechanism, but though there was no commitment in the statement to the continued operation of these countries as a formal group, most expected that informal coordination would result in a structure capable of ending the Atlantic rift. Indeed, on the basis that this might be achieved and given the deteriorating situation at the time, I suspect that had I been British Foreign Secretary, I would have been sorely tempted to sign up that Saturday in Washington to the so-called Joint Action Programme on Bosnia. Disillusioned though I was, therefore, I felt I could not in all decency publicly single out Douglas Hurd for criticism. He had been courteous, considerate and open in all his dealings with me. He had wider British interests to defend, whereas I had to protect the EC position.

Although I went through the motions of keeping open the European Community position on the VOPP and the WEU option for the next few days I knew that the plan had now been effectively ditched by the Americans and could never be got back on the road. The only way to revive it would have been for the Europeans to say that they would implement the VOPP through the WEU and hive off from NATO the command and control structures to do so; then to rally sufficient troop numbers from non-EU countries like Russia, the Ukraine, Poland, the Czech Republic and Slovakia to give the implementation force credibility. The truth was that there was not the political or military will in Europe without France and Britain to do this and in my heart I knew it.

As to the Joint Action Programme (JAP), it was destined to fail. The US military, who were more clear-headed than their political leaders, did not pretend that the immediate objective of the JAP, while introducing 'safe areas', was to stop the killing, for to do that effectively there needed to be a clear reinforcement plan that had not even been worked out for the safe areas. The UN had done work on increased force numbers, but many of us felt it needed rules of engagement and command and control procedures for peace enforcement, not peacekeeping, if the areas were to be kept safe. The US were adamant about not committing their own troops and their military saw great difficulty in the so-called 'oil slick' approach of trying to use force to gradually enlarge the 'safe areas'. One redeeming feature of the JAP was the commitment to establish the Yugoslav War Crimes Tribunal; but that apart, it was in effect an inaction programme.

The press had no illusions as to what had happened in Washington. Taking their cue from the *New York Times* story of Friday 21 May, all press and television comment throughout Europe and America saw the JAP as an endorsement of the Serbs' territorial conquests. Alain Juppé was quoted in *Le Monde* as saying defensively, 'Contrary to what is written here and there, the JAP is a confirmation of the Vance--Owen process.' Izetbegovic, in a statement from Sarajevo on 23 May, derisively rejected the JAP. Referring to what the 'great four' had to say, he claimed that the programme would allow the Serbs to retain territory taken by force, prevent displaced populations from returning to their homes, and turn safe areas into reservations. It was therefore absolutely unacceptable. Signature of the VOPP had been the Bosnian government's final word. It was the minimum they could accept and they would not waste their time any longer in futile negotiations. Izetbegovic called upon all those citizens who loved Bosnia to unite and defend, with all permissible means, its integrity and freedom. I agreed with every word and I felt very sorry for the predicament in which Izetbegovic now found himself. The US had totally let him down.

What I feared was that the Bosnian armed forces would now turn on the Croat forces as an easier target than the Serbs and try to gain the territory they needed from that source. Towards the end of May I had initiated negotiations between the Bosnian Muslims and Bosnian Croats, nominally still in the same government, for a set of decrees that the government of Bosnia-Herzegovina might issue so as to begin instituting the VOPP on a bilateral Muslim--Croat basis. These largely concerned human rights issues, but also included the establishment of a Military Committee and of the provinces and their governance. But soon all our hopes of tying the Muslims and Croats together with progressive implementation were doomed, and it would be many months before we could even attempt to bring Croats and Muslims together again, for the Croats had read the signs that opposition to the VOPP paid off and were carving out their own areas, like the Serbs. As for Milosevic, I knew it would not be easy to persuade or pressurize him to separate himself from the Bosnian Serb leaders again, and without splitting Belgrade from Pale the Bosnian Serbs would continue to block any sensible settlement.

End of extract

7.

Reaction of the Dutch to the JAP initiative on safe havens

FM THE HAGUE

TO IMMEDIATE FCO

4 JUNE 1993

BOSNIA JOINT ACTION PROGRAMME: DUTCH REACTIONS

Summary

1. Dutch MPs react critically to JAP. Kooijmans to raise at FAC.

Detail

2. During a debate in the Dutch Parliament on 3 June MPs criticised the Action Programme on the grounds that it undermined the Vance/Owen Plan. CDA MP Ton de Kok is reported to have said that the programme represented quote a low point in the diplomacy of the past few months unquote. This was taken up by Van Traa (PVDA) who spoke of quote a slap in the face for European cooperation in the foreign policy field unquote. Kooijmans is reported to have responded by saying that the way in which three EC partners had behaved is not the way countries in the Community should treat each other. This comment echoed that of Ter Beek on return from the NATO Ministerial last week in relation to NATO decision making.

3. Both Kooijmans and Ter Beek also criticised the Action Programme as writing off the prospects for a lasting political solution. They also believed that the absence of a broader framework undermined the safe havens idea. Kooijmans told MPs that he would raise the matter at next week's FAC.

Comment

4. The Ministerial remarks about the lack of prior consultation over the Joint Action

Programme were clearly aimed at their domestic audience in view of the fact that the Dutch are present in the area with their own ground troops as well as air force units. Kooijmans will no doubt elaborate at the FACT on the Dutch criticisms of the substance of the JAP.

FLOWER

8.

Reaction of Kofi Annan, United Nations, to the Joint Action

Programme on safe havens

The UN military wanted 31,000 more UN troops

FM UKMIS NEW YORK

TO FCO

5 JUNE 1993

MODUK FOR CDS, DUS(P) and others

BOSNIA SAFE AREAS: IMPLEMENTATION

Summary

1. Annan outlines Secretariat's preliminary thinking on SCR 836 implementation. Meeting between Secretariat and co-sponsors plus Canada scheduled for 071600Z. Request for instructions 071400Z.

Detail

2. Just prior to the adoption of SCR 836 on safe areas (second TUR) Richardson had a hurried meeting with Annan (USG for Peacekeeping) to discuss implementation of the Resolution. Annan said the Force Commander had recommended seven plus battalions for the safe areas and much heavier equipment. He would like 31,000 more troops. Richardson dismissed this figure and said that Annan's deputy, Riza, yesterday had talked to him of 6,000 troops, none of whom could be redeployed from existing UNPROFOR contingents. On potential troop contributors, Riza had said that the Russians had declined to contribute because they felt their presence in Muslim safe areas would be resented. They would prefer to hold back until they could police the Northern Corridor. Richardson suggested to Annan that the Secretary-General should return to the charge with the Russians. On the Pakistanis, Annan said they would need equipment. The US had helped them in Somalia but the equipment had already been in theatre. Perhaps US equipment in Europe could be made available. Annan said

Sweden was the only other country which had expressed interest in contributing troops. He had not heard from the Malaysians.

3. Annan spoke briefly about the air support aspects. He said NFZ procedures would need to be inverted. By that he meant that, whilst for NFZ enforcement UNPROFOR had authority to request the suspension of enforcement, in the case of safe areas it should be for UNPROFOR to request air support (and, conversely for the Allies to refrain from executing air to ground attacks unless specifically asked to do so). If troops in a safe area come under fire the local commander should request air support through the UNPROFOR chain of command, who could then pass the request to Com 5 ATAF. Richardson suggested that this procedure might not be adequately responsive. Annan conceded that delegation to sector commanders might be necessary.

End of extract

HANNAY

[In addition Annan wrote in his autobiography published in 2012 how the UK Permanent Representative, David Hannay, talked to him about the UN resolutions saying the phrase “to deter attacks against safe areas” had been chosen deliberately rather than “to defend”. Also “to promote withdrawal of military and paramilitary forces” had been chosen rather than “to ensure or enforce”. Hannay went on to stress that UNPROFOR’s “deterrent capacity” was to derive from its presence in the safe areas – not from its actually military strength.]*

* Kofi Annan with Nader Mousavizadeh, *Interventions. A Life in War and Peace* (Allen lane, 2012), pp.66-67.

9.

**Report by the UK Mission, Geneva, on Bosnia-Herzegovina
Government's reaction to Joint Action Programme, 24 May 1993**

FM UKMIS GENEVA
TO IMMEDIATE FCO
24 May 1993

BOSNIA: JOINT ACTION PROGRAMME: STATEMENT BY IZETBEGOVIC

Summary

1. Izetbegovic rejects Joint Action Programme put forward by P4 plus Spain. Says that Vance-Owen plan represents the bottom line and that Bosnians will continue to fight for freedom and dignity.

Detail

2. The Bosnian Mission has circulated the text (by fax to EAU, UKMIS New York and UND) of a statement by Izetbegovic in Sarajevo on 23 May rejecting the Joint Action Programme on Bosnia announced by the UK, U.S, France, Russia and Spain (Washington telno 1157). Referring to what the 'great four' had to say, Izetbegovic claims that the programme would allow the Serbs to retain territory taken by force, prevent displaced populations from returning to their homes, and turn safe areas into reservations. It was therefore absolutely unacceptable.

3. The statement continues that signature of the VOPP had been the Bosnian Government's final word. It was the minimum they could accept and they would not waste their time any longer in futile negotiations. Izetbegovic called upon all those citizens who loved Bosnia to unite and defend, with all permissible means, its integrity and freedom.

CHAPLIN

[This last document demonstrates beyond all doubt that President Izetbegovic and his government wanted the VOPP to be implemented. After the Joint Action Plan wound its weary way through highly sceptical UN debates in New York, Lord Owen contemplated resignation but came under strong pressure to stay by EU colleagues, particularly the Spanish Foreign Minister, Solana, who stopped off in Geneva on the way back from Turkey to have a meal together. Lord Owen only decided to continue with the next negotiations on the EU Action Plan of December 1993, when at their meeting in Sarajevo on 4 June President Izetbegovic asked Lord Owen not to resign but continue as the EU negotiator with Thorvald Stoltenberg as the UN negotiator]